

SENATE—Monday, July 15, 1968

The Senate met at 10 a.m., and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O God our Father, who desirest truth in the inward parts, help us in this opening moment of a new day's council to draw near to Thee in tranquillity, humility, and sincerity.

In this forum of deliberation and debate, amid the din and clash of differing opinions, may we here unite in keeping always a constant sense of the eternal. To Thee we lift our hearts, bringing nothing but our need and the adoration of our contrite spirits. From Thy hands we have received the gift of life, the blessings of home and of friendship, and the sacrament of beauty. In the fullness of Thy mercy Thou hast given us work to do and the strength wherewith to do it.

Thou knowest that these testing times are finding out our every weakness and calling for our utmost against the wrong that needs resistance, and for the right that needs assistance.

And so—

"Set our feet on lofty places,

Gird our lives that they may be

Armored with all Christlike graces

In the fight to set men free;

Grant us wisdom, grant us courage

That we fail not man nor Thee."

We ask it in the Name of the One whose life is the light for all men. Amen.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, July 12, 1968, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF CALL OF THE CALENDAR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 o'clock tomorrow morning.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD of West Virginia subsequently said: Mr. President, I ask unanimous consent that the previous unanimous-consent order, setting the time of meeting of the Senate tomorrow at 10 a.m., be vacated.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Without objection, it is so ordered.

(Later in the day, the Senate ordered that on the conclusion of its business today, it stand in adjournment until Wednesday, July 17, 1968, at 12 noon.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2986) to extend Public Law 480, 83d Congress, for 3 years, and for other purposes.

The message also announced that the House had passed the bill (S. 3293) to authorize appropriations during the fiscal year 1969 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 1411) to amend title 39, United States Code, with respect to the use of the mails to obtain money or property under false representations, and for other purposes.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 3865) for the relief of Mauritz A. Sterner; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ASHMORE, Mr. HUNGATE, and Mr. SMITH of New York were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H.R. 10773) to amend section 1730 of title 18, United States Code, to permit the uniform or badge of the letter-carrier branch of the postal service to be worn in theatrical,

television, or motion picture productions under certain circumstances.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills:

H.R. 3400. An act to amend the Federal Aviation Act of 1958 to require aircraft noise abatement regulation, and for other purposes; and

H.R. 9063. An act to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore (Mr. METCALF) laid before the Senate the following letters, which were referred as indicated:

REPORT OF SECRETARY OF COMMERCE

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report of activities under the Mobile Trade Fairs Act, for the fiscal year ended June 30, 1967 (with an accompanying report); to the Committee on Commerce.

PROPOSED EXTENSION OF COMMERCIAL FISHERIES RESEARCH DEVELOPMENT ACT OF 1964

A letter from the Deputy Assistant Secretary of the Interior, transmitting a draft of proposed legislation to extend the provisions of the Commercial Fisheries Research and Development Act of 1964 (with an accompanying paper); to the Committee on Commerce.

REPORT OF SECRETARY OF HEALTH, EDUCATION, AND WELFARE

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report of grants approved by the Department, which are financed wholly with Federal funds, for the second half of fiscal year 1968 (with an accompanying report); to the Committee on Finance.

PROPOSED LEGISLATION TO ESTABLISH POSITIONS OF DEPUTY SECRETARY OF HEALTH, EDUCATION, AND WELFARE AND UNDER SECRETARY FOR HEALTH AND SCIENCE

A letter from the Secretary, Health, Education, and Welfare, transmitting a draft of proposed legislation to establish in the Department of Health, Education, and Welfare the positions of Deputy Secretary of Health, Education, and Welfare and Under Secretary for Health and Science (with an accompanying paper); to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

Resolutions adopted by the National Conference of Lieutenant Governors, Atlanta, Ga., relating to new directions in Federal-Aid policies, and tax exempt status of State

and Local Bonds; to the Committee on Finance.

The petition of William G. Reinke, Jr., of Leavenworth, Kans., praying for a redress of grievances; to the Committee on the Judiciary.

A resolution adopted by the National Conference of Lieutenant Governors, Atlanta, Ga., relating to firearms; to the Committee on the Judiciary.

A resolution adopted by the National Association of Postmasters of the United States, Ohio Chapter, of Leroy, Ohio, recommending that additional copies of a law and order commemorative stamp be supplied to all post offices in sufficient quantities that they will be available for sale for the remainder of the year 1968; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ELLENDER, from the Committee on Appropriations, with amendments:

H.R. 17903. An act making appropriations for public works for water and power resources development, including certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atlantic-Pacific Inter-oceanic Canal Study Commission, the Delaware River Basin Commission, Interstate Commission on the Potomac River Basin, the Tennessee Valley Authority, the Water Resources Council, and the Atomic Energy Commission, for the fiscal year ending June 30, 1969, and for other purposes (Rept. No. 1405).

By Mr. BURDICK, from the Committee on the Judiciary, without amendment:

H.R. 2695. An act for the relief of Donald D. Lambert (Rept. No. 1406);

H.R. 3681. An act for the relief of James M. Yates (Rept. No. 1407);

H.R. 4818. An act for the relief of O. P. Becken (Rept. No. 1408);

H.R. 4819. An act for the relief of Ralph W. Heneman (Rept. No. 1409);

H.R. 4821. An act for the relief of Arnold E. Remmen (Rept. No. 1410);

H.R. 5815. An act for the relief of Lt. Comdr. William W. Gentry (Rept. No. 1411);

H.R. 8087. An act for the relief of Henry Gibson (Rept. No. 1412);

H.R. 8809. An act for the relief of Maj. Hollis O. Hall (Rept. No. 1413); and

H.R. 14323. An act for the relief of Mrs. Elise C. Gill (Rept. No. 1414).

ASTRONAUT ASSISTANCE AND RETURN AGREEMENT—REMOVAL OF INJUNCTION OF SECRECY

Mr. BYRD of West Virginia. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive J, 90th Congress, second session, the Astronaut Assistance and Return Agreement, transmitted to the Senate today by the President of the United States, and that the agreement, together with the President's message, be referred to the Committee on Foreign Relations and ordered to be printed, and that the President's message be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

Today I ask the Senate to take another step toward stable peace on this threatened earth.

I am proud to transmit, for advice and consent to ratification, the Astronaut Assistance and Return Agreement.

This Agreement proves again that a divided world can and must overcome its differences. In spirit and substance it embodies the three principles guiding America's quest for peace which I discussed last month at Glassboro.

First, peace must be earned.

Peace must be built in patient steps as human trust grows to meet human need. At best, it is a slow, hard job. The Astronaut Agreement comes to the Senate after five long years of painstaking negotiation between the United States, the Soviet Union, and other members of the United Nations Outer Space Committee. It is a step—and an important step—in the hopeful journey which began in this decade with the Limited Test Ban Treaty. We marked a great milestone in this journey when we signed the Non-Proliferation Treaty last week in Moscow, London, and Washington. I hope and believe we can soon advance further on this road when we sit down to talk with the Russians about the limitation and reduction of offensive and defensive strategic weapons.

Second, the path to world peace is less difficult when the United States and the Soviet Union follow it together.

The Astronaut Agreement will serve all nations, those whose mercy may save lives as well as those whose sons will risk their lives to enrich man's knowledge of his universe. But in the last account this agreement was possible because the United States and the Soviet Union resolved to work with each other.

Third, lasting peace depends not only on healing the bitter conflicts of today, but also upon our skill and imagination in building for a brighter tomorrow.

This Agreement is a striking example of this principle. For it properly looks beyond the old divisions of history and ideology to recognize the challenge of common peril and the benefits of common action.

Only seven short years have passed since Alan Shepard and Yuri Gagarin made their pioneering flights into space. There have been moments of majestic triumph—when Virgil Grissom and John Young flew our first two-man flight aboard Gemini III in March 1965, and when Cosmonaut Leonov took the first walk in space the same month.

There have been moments of tragedy, as when the world mourned the deaths of Virgil Grissom, Edward White, Roger Chaffee and Vladimir Komarov. The new Astronaut Agreement would not have saved the lives of these extraordinary and brave men, for death came within their homelands. But we must spare no effort to ensure the safety of future space pioneers who may need help in other countries or on the high seas.

Accordingly, the Agreement provides that:

—Any party who learns that an accident or emergency involving a manned flight has occurred will immediately inform the launching authority.

—A party will immediately take all possible steps to rescue an astronaut who lands in its territory and render him all necessary assistance.

—A launching authority whose astronaut makes an unplanned landing on the territory of another party will assist in search and rescue operations when its assistance will help bring about a prompt rescue.

—A party with vessels on the high seas or otherwise in a position to do so will join in search and rescue operations for a downed astronaut.

—A party who has rescued a foreign astronaut will return him safely and promptly to the launching authority.

—A launching authority has the right to obtain the return of an object it has launched that has come down to Earth on the territory of another party.

These benefits alone recommend prompt ratification of the Astronaut Agreement. Our laws and treaties must always keep pace with our science. But the value of this Agreement goes beyond the protection it offers those who venture into space. It is also one more link in a growing chain of international cooperation which helps protect the peace of this planet.

The seven years of the Space Age began here on earth with the Berlin Wall, the harsh words at Vienna and the Cuban missile crisis. We have worked patiently and hard to improve the climate. As I said in 1966:

Our task is to achieve a reconciliation with the East—a shift from the narrow concept of coexistence to the broader vision of peaceful engagement.

I believe our successes have been impressive and hopeful: the Consular Convention—signed in 1964 and ratified in 1968; the Civil Air Agreement—signed in 1966, with air service soon to begin; the Outer Space Treaty of 1967; the Non-Proliferation Treaty just signed on July 1; and the agreement to begin strategic weapons talks announced that day.

Many difficult and dangerous problems still lie unsolved before us. We must devote our energies to achieve a new advance toward peace. Humanity cannot wait where freedom from the shadow of nuclear war is concerned. We look with satisfaction to the achievement of the Non-Proliferation Treaty, and with anticipation to the forthcoming talks on the control of strategic weapons. Surely two nations who aspire to the stars can realize the common danger and act in the common interest here on earth.

The Astronaut Agreement is an action in the common interest. It helps man's reach for peace as well as his conquest of space. I earnestly hope the Senate will give its prompt advice and consent to ratification.

LYNDON B. JOHNSON.

THE WHITE HOUSE, July 15, 1968.

BILLS INTRODUCED

Bills were introduced, read the first time, and by unanimous consent, the second time, and referred as follows:

By Mr. JAVITS:

S. 3774. A bill for the relief of Peter Chung Ren Huang; to the Committee on the Judiciary.

By Mr. INOUE:

S. 3775. A bill for the relief of Chi Ming

Lam and Leung Man; to the Committee on the Judiciary.

By Mr. HOLLAND:

S. 3776. A bill for the relief of Dr. Jose Ramon Portela y Margolles; to the Committee on the Judiciary.

By Mr. SPARKMAN (for himself and Mr. HAYDEN):

S. 3777. A bill to establish the United States Section of the United States-Mexico Commission for Border Development and Friendship, and for other purposes; to the Committee on Foreign Relations.

(See the remarks of Mr. SPARKMAN when he introduced the above bill, which appear under a separate heading.)

By Mr. MONTOYA:

S. 3778. A bill for the relief of Maria Martina Wijergangs; and

S. 3779. A bill for the relief of Natan Alintias; to the Committee on the Judiciary.

By Mr. HILL:

S. 3780. A bill to establish in the Department of Health, Education, and Welfare the positions of Deputy Secretary of Health, Education, and Welfare and Under Secretary for Health and Science; to the Committee on Labor and Public Welfare.

By Mr. BREWSTER:

S. 3781. A bill for the relief of Tatsuya Yamashita; to the Committee on the Judiciary.

By Mr. CURTIS (for himself, Mr. HRUSKA, Mr. BAKER, Mr. HANSEN, Mr. JAVITS, Mr. MCLELLAN, Mr. MONRONEY, Mr. MORTON, Mr. MUNDT, Mr. SPARKMAN, and Mr. STENNIS):

S. 3782. A bill to amend the Internal Revenue Code of 1954 in relation to industrial development bonds; to the Committee on Finance.

(See the remarks of Mr. CURTIS when he introduced the above bill, which appear under a separate heading.)

By Mr. PASTORE (for himself, Mr. ANDERSON, and Mr. BENNETT):

S. 3783. A bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. WILLIAMS of New Jersey:

S. 3784. A bill to promote the advancement of biological research in aging through a comprehensive and intensive 5-year program for the systematic study of the basic origins of the aging process in human beings; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. MCINTYRE (for himself and Mr. COTTON):

S. 3785. A bill to amend section 1777(c) of title 38, United States Code, in order to permit, under certain circumstances, the approval of on-the-job training courses which require more than 2 years' training; to the Committee on Labor and Public Welfare.

By Mr. MURPHY (for himself and Mr. KUCHEL):

S. 3786. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 3787. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 3788. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 3789. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3790. A bill to authorize and direct the Secretary of the Interior to relinquish and

quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3791. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3792. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3793. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 3794. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 3795. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3796. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3797. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3798. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3799. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3800. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3801. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3802. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 3803. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3804. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3805. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 3806. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 3807. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3808. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3809. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3810. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 3811. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3812. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 3813. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3814. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3815. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3816. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3817. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 3818. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3819. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3820. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3821. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3822. A bill to authorize the payment of private claims to R. A. Beaver and J. F. Beaver of Blythe, Calif.;

S. 3823. A bill to relinquish and disclaim any title to certain lands situated in Imperial County, Calif.;

S. 3824. A bill to relinquish and disclaim any title to certain lands situated in Imperial County, Calif.;

S. 3825. A bill to relinquish and quitclaim any title to certain lands situated in Riverside County, Calif.;

S. 3826. A bill to relinquish and disclaim any title to certain lands situated in Yuma County, Ariz.;

S. 3827. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3828. A bill to relinquish and disclaim any title to certain lands situated in Yuma County, Ariz.;

S. 3829. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3830. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3831. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3832. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3833. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California; and

S. 3834. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California; to the Committee on Interior and Insular Affairs by unanimous consent.

(See the remarks of Mr. MURPHY when he introduced the above bills, which appear under a separate heading.)

By Mr. PERCY:

S. 3835. A bill to amend title VI of the Public Health Service Act to include within the scope of part A thereof comprehensive ambulatory health services, and otherwise to extend and improve the program established by such part A; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. PERCY when he introduced the above bill, which appear under a separate heading.)

S. 3777—INTRODUCTION OF A BILL TO ESTABLISH THE UNITED STATES SECTION OF THE UNITED STATES-MEXICO COMMISSION FOR BORDER DEVELOPMENT AND FRIENDSHIP

Mr. SPARKMAN. Mr. President, I introduce, for appropriate reference, a bill to establish the United States Section of the United States-Mexico Commission for Border Development and Friendship, and for other purposes.

The proposed legislation has been requested by the President and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I ask unanimous consent that the bill may be printed in the RECORD at this point, together with a section-by-section analysis of it.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and section-by-section analysis will be printed in the RECORD.

The bill (S. 3777) to establish the United States Section of the United States-Mexico Commission for Border Development and Friendship, and for other purposes, introduced by Mr. SPARKMAN, for himself and Mr. HAYDEN, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

S. 3777

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress recognizes and endorses the action taken by the President of the United States

and the President of Mexico pursuant to their Joint Statement of April 15, 1966, in which the two Presidents expressed their determination to improve the relations between frontier cities of both countries and to elevate the life of those who live in the border area, and in which they agreed to create a Commission to pursue these objectives through cooperative action to raise the standard of living of the respective communities from a social and cultural as well as a material point of view.

Sec. 2. (a) There is hereby established the United States Section of the United States-Mexico Commission for Border Development and Friendship (hereinafter referred to as the "United States Section" and the "Commission", respectively).

(b) The United States Section shall be subject to the foreign policy direction of the Secretary of State.

(c) The United States Section shall be composed of a Chairman, who shall be appointed by the President by and with the advice and consent of the Senate, and representatives of such executive departments and agencies as the President shall designate. These representatives, who shall have the rank of at least Assistant Secretary or equivalent level and who shall be designated by the heads of such executive departments and agencies, shall be known as Commissioners and shall serve without additional compensation. The Chairman of the United States Section is authorized to designate one of the Commissioners to serve as Acting Chairman in his absence or disability. The Chairman may invite the participation in the activities of the United States Section of any executive department or agency not represented in the United States Section, when matters of interest to such executive department or agency are under consideration.

(d) The Commissioners shall meet at the call of the Chairman.

(e) Section 5315 of title 5, United States Code, is amended by adding the following new paragraph after paragraph (90):

"(91) Chairman, United States Section of the United States-Mexico Commission for Border Development and Friendship"

Sec. 3. The United States Section shall have the following functions with respect to the economic, social, and cultural development of the border area:

(1) To conduct a continuing and comprehensive review of problems of the border area, propose solutions to such problems, establish relationships with State and local governments to identify such problems and solutions, and, as appropriate, establish similar relationships with individual citizens and private organizations and institutions;

(2) To develop, on a continuing basis in consultation with appropriate executive departments and agencies, comprehensive and coordinated policies, plans, and programs for the border area and recommend priorities thereunder and their implementation by appropriate executive departments and agencies;

(3) To conduct or foster surveys, studies, and other research required for the identification of problems and the preparation of specific plans and programs for the border area;

(4) To develop and maintain a comprehensive inventory of natural and human resources in the border area and of the programs of Federal, State, and local governments directed toward betterment of conditions in that area;

(5) To conduct or foster demonstration or technical assistance projects applicable to various localities in the border area and secure maximum participation of private and public local groups;

(6) To stimulate and encourage an increased social and cultural interchange among institutions and individuals in the border area;

(7) To promote increased participation by the private sector in the improvement of conditions in the border area; and

(8) To work cooperatively with the Mexican Section of the Commission in the development and execution of plans and proposals for joint, cooperative, or parallel activities.

Sec. 4. (a) The United States Section is authorized to prescribe rules and regulations governing its administration.

(b) The United States Section shall consult with and coordinate its activities with appropriate executive departments and agencies and shall utilize the facilities and resources of such departments and agencies to the maximum extent possible in carrying out its functions.

(c) The United States Section is authorized in carrying out its functions to enter into agreements with executive departments and agencies as appropriate.

Sec. 5. The United States Section is authorized to request directly from any executive department or agency any information it deems necessary to carry out its functions under this Act, and to utilize the services and facilities of such department or agency; and each executive department or agency is authorized to furnish such information, services, and facilities to the United States Section upon request of the Chairman to the extent permitted by law and within the limits of available funds.

Sec. 6. (a) The Chairman shall appoint and fix the compensation of such personnel as may be necessary to carry out the functions of the United States Section, and to obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code, at rates for individuals not to exceed the per diem equivalent for GS-18.

(b) Services of an individual as an expert or consultant under subsection (a) of this section shall not be considered as employment or holding of office or position bringing such individual within the provisions of sections 3323(a) and 8344 of title 5 of the United States Code, section 872 of the Foreign Service Act of 1946, as amended, or any other law limiting the reemployment of retired officers or employees or governing the simultaneous receipt of compensation and retired pay or annuities, subject to section 5532 of title 5 of the United States Code.

(c) Executive departments and agencies are authorized to detail to temporary duty with the United States Section such personnel as the Chairman may request for carrying out the functions of the United States Section, each such detail to be without loss of seniority, pay, or other employee status.

Sec. 7. As may be necessary in carrying out its functions in the border area, the United States Section is authorized to enter into and perform such contracts, leases, cooperative agreements or other transactions with any local government or political subdivision or agency thereof, or with any person.

Sec. 8. The United States Section may accept and use for purposes of this Act gifts or donations of services or property, real, personal or mixed, tangible or intangible.

Sec. 9. The border area shall be defined as the geographic area immediately adjacent to the international boundary between the United States and Mexico, but including such other nearby areas as either exert a significant impact on or are significantly affected by the border area.

Sec. 10. Nothing in this legislation shall be construed to restrict or infringe upon the authority of any executive department or agency.

Sec. 11. There is hereby authorized to be appropriated such sums as may be necessary to carry out the functions of the United States Section under this Act.

The section-by-section analysis of S. 3777, presented by Mr. SPARKMAN, is as follows:

SECTION-BY-SECTION ANALYSIS OF PROPOSED DRAFT LEGISLATION TO ESTABLISH THE UNITED STATES SECTION OF THE UNITED STATES-MEXICO COMMISSION FOR BORDER DEVELOPMENT AND FRIENDSHIP

Section 1 provides the endorsement of the Congress of the action taken by the Presidents of Mexico and the United States to establish a joint commission to improve relations between border cities of both countries and to cooperate in elevating the life of those who live in the border area from a social and cultural as well as a material point of view.

Section 2(a) establishes the United States Section of the United States-Mexico Commission for Border Development and Friendship.

Section 2(b) provides that the United States Section shall operate under the foreign policy direction of the Secretary of State.

Section 2(c) sets forth the composition and method of appointment of the United States Section. It would consist of a chairman and representatives of such executive departments and agencies as may be designated by the President. The Chairman would be appointed by the President with the advice and consent of the Senate. The Chairman is currently appointed by the President without Senate confirmation.

The representatives of departments and agencies, who would be at least of Assistant Secretary level, would be named by their agency head. They would be known as Commissioners. Representatives of the following agencies are currently members of the United States Section: the Departments of State, Agriculture, Commerce, the Interior, Labor, Health, Education, and Welfare, Housing and Urban Development, and Transportation; the Office of Economic Opportunity; and the Interagency Committee on Mexican American Affairs.

Other agencies not represented in the United States Section could be invited to participate in its activities.

Section 2(d) provides that the Chairman shall call meetings of the Commissioners.

Section 2(e) sets the compensation of the Chairman at level IV of the Executive Schedule (currently \$28,750 annually).

Section 3 sets forth eight functions of the United States Section. They include review of the problems of the border area and development of proposed solutions; development of coordinated policies, plans, and programs; conduct of surveys and studies; maintenance of a comprehensive inventory of human and natural resources and of governmental programs in the area; conduct of demonstration projects; encouragement of social and cultural interchanges; promotion of private sector participation in the improvement of the area's condition; and cooperation with the Mexican Section of the Commission.

Section 4(a) authorizes the United States Section to prescribe rules and regulations governing its internal administration.

Section 4(b) requires the United States Section, in carrying out its functions, to utilize to the maximum extent possible the facilities and resources of appropriate departments and agencies and to consult with and coordinate its activities with such departments and agencies. This provision is designed to emphasize the coordinating role of the United States Section and aims at assuring that the United States Section will not duplicate or overlap the activities of other agencies.

Sections 4(c) and 5 enable the United States Section to enter into agreements with departments and agencies as appropriate and to request and receive from them information, services, and facilities to the extent permitted by law.

Section 6(a) authorizes the Chairman to appoint and fix the compensation of necessary personnel of the United States Section

in accordance with civil service laws and regulations and to secure the services of experts and consultants at not to exceed the per diem equivalent of GS-18.

Section 6(b) provides that retired Federal officers and employees may be employed and compensated as experts and consultants by the United States Section without loss of annuity payments.

Section 6(c) authorizes other Federal agencies to detail personnel to the United States Section for temporary duty, without loss of seniority, pay or other employee status.

Section 7 authorizes the United States Section to enter into contracts, leases, cooperative agreements or other transactions with any local government or political subdivision or agency thereof or with any person.

Section 8 permits the United States Section to accept gifts or donations of services or property for use in its activities.

Section 9 defines the border area for the purposes of the Act.

Section 10 provides that nothing in the Act shall restrict or infringe upon the authority of any department or agency.

Section 11 authorizes the appropriation of funds as necessary to carry out the functions of the United States Section.

S. 3782—INTRODUCTION OF BILL TO AMEND THE INTERNAL REVENUE CODE OF 1954 RELATING TO INDUSTRIAL DEVELOPMENT BONDS

Mr. CURTIS. Mr. President, I am introducing a bill for myself, Mr. HRUSKA, Mr. BAKER, Mr. HANSEN, Mr. JAVITS, Mr. McCLELLAN, Mr. MONRONEY, Mr. MORTON, Mr. MUNDT, Mr. SPARKMAN, and Mr. STENNIS.

One of the high important but less newsworthy amendments enacted by Congress as part of the Revenue and Expenditure Control Act of 1968—the bill that imposed the 10-percent surtax—relates to the tax treatment of industrial development bonds.

Late in February the Treasury Department announced that it proposed to change the tax treatment of interest on these bonds by amending its regulations. These bonds had been uniformly treated as obligations of a State or local government for a period of more than 30 years; and as such, the interest earned on them had been exempt from Federal income tax. The Committee on Finance was disturbed that such an important change in tax practice was being attempted without benefit of a change in the underlying statute. The Secretary of the Treasury was interrogated about his proposed regulations in public hearings beginning on March 12. Following these hearings, the Committee on Finance considered the matter in executive session and concluded that the regulations should not be permitted to go into effect on March 15 as the Treasury contemplated. Rather, it was the consensus of the committee that the existing rules should be continued until Congress amended the law. An amendment to that effect was added to the excise tax extension bill.

Later, the Senate adopted a floor amendment to the same bill which generally had the effect of writing the proposed Treasury regulations into the statutes.

Thus, as the bill passed the Senate, it contained two amendments dealing with the tax treatment of income earned on

industrial development bonds—one to continue the present rules until Congress changed them by law, and the other to prescribe new statutory rules effective January 1, 1969.

The conferees on the tax bill worked long and hard to find suitable solutions to the many and important problems that confronted them. With matters as controversial as the 10-percent surtax and the \$6 billion cutback in Federal expenditures, it is no wonder that they were unable to give the industrial development bond matter the full attention it deserved. Therefore, the conference agreements which were enacted into law have created more problems with respect to industrial development bonds than they solved.

The principal objective of those seeking to tax such bonds was to eliminate the situation under which State and local governments were, in effect, being required to substitute their borrowing power for the borrowing power of the corporation for whom the bonds were being issued. And this substitution carried with it the threat of a raid on another State's industries.

Certainly, it is a function of government to seek new industry. It is equally a function of government to create new job opportunities for its citizens. It can accomplish both of these objectives without raiding the industry of another State and it should be permitted to do so. Unfortunately, the rules worked out by the conferees reduce the ability of the States to perform these governmental functions. They arbitrarily characterize virtually any State or local bond issue over \$1 million as a tax abuse and require that interest earned on it be taxed as if it were paid by the private corporation with respect to whom it was issued.

I believe a better solution can be found. I believe we can work out rules which will prevent the sort of tax abuse which prompted the conference agreement, but which will preserve the rights of the States and their instrumentalities to issue tax-free bonds for the purpose of developing their economies and creating jobs.

With this thought in mind, a bill is being introduced to moderate the harshness of the conference agreement without reraising the charge of "tax abuse" or "tax loophole."

Under this bill, tax exemption would be continued with respect to interest paid on certain issues to combat unemployment or underemployment. However, rigid criteria must be satisfied—criteria generally prescribed by the Advisory Commission on Intergovernmental Relations.

These criteria are: First, that location of the industrial plant be restricted to a community or area with a condition of substantial and persistent unemployment or underemployment; second, that other opportunities for employment are lacking; third, that the number of jobs to be created will not be much greater than the number needed to correct the condition; and fourth, that the plant will not have a high ratio of capital cost to jobs, as would generally be the case with an automated plant.

The Governor of the State must cer-

tify that these criteria are met before the exemption of proposed section 104 (c) (4) would apply to a particular issue to finance industrial property.

In all cases if industrial development bonds are to be tax exempt, the bill provides that there must be a showing that the industrial plant is not pirated from another State. In cases where there is the required showing of substantial and persistent unemployment or underemployment, the bill provides for no dollar limitation of the tax-free issue, otherwise it provides that tax-free issues must be for no more than \$5,000,000.

For interest received on one of the bond issues I have described to be exempt from taxation including the small issues—the Governor of the State must certify that the industrial plant to be financed by the bond issue is not “pirated” from another State. If it involves relocation of an existing facility then it is not creating new jobs. Rather, it is shifting existing jobs to a new location. In my opinion, it would have to be shown that the new plant being financed by the bond issue must be concerned with expansion of jobs, not relocation of jobs.

I believe that this provides constructive suggestions for dealing with an admittedly complex problem. It will give the States themselves an opportunity to state their position on the industrial bond matter. Until now there has been no congressional forum in which State representatives could express their thoughts. No hearings were held on the industrial bond question except the very narrow hearing during which the Secretary was questioned about his proposed regulation. That hearing certainly offered no basis for the harsh provisions worked out by the conferees on the Revenue and Expenditure Control Act of 1968. I urge the chairman of the Committee on Finance to set hearings at an early date so that we can assure the States that the Federal tax law will not thwart their efforts to do what they think is right for the economy and the citizens of their own jurisdiction.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3782) to amend the Internal Revenue Code of 1954 in relation to industrial development bonds, introduced by Mr. CURTIS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

S. 3784—INTRODUCTION OF BILL TO ESTABLISH AN AGING RESEARCH COMMISSION

Mr. WILLIAMS of New Jersey. Mr. President, in the midst of this troubled period in our Nation's growth, I want to call the attention of the Senate to a task which holds immeasurable promise for harmony and orderly development, for all men, everywhere. The task is the investigation of aging—that complex biological, psychological, and social process which touches us all—one of the true common denominators among men. I am introducing a bill today which I believe could set us on a course of immense productivity and discovery in basic human research.

This bill would establish an Aging Research Commission, which would plan a 5-year program of intensive coordinated research into the origins of the aging process.

For some time now, the Special Committee on Aging has been exploring the plight and the promise of millions of elderly Americans. We have heard from hundreds of men and women over 65 who suffer inadequate health services, insufficient income, and unpleasant housing conditions. As chairman of the committee, I have taken particular notice of a recurrent parallel between poverty, ill health, and despair among the elderly, and a deterioration and decay in their energy, enthusiasm, and vigor.

There is little chance for us to break this cycle among the elderly, unless we begin today to unearth some of the basic data about aging as a process. What we need immediately is a body of accurate information about the basic physical changes which accompany the aging process. We need exploration into the mysteries of the cell and the gene.

Because we do not know the secrets of aging, we are being forced to repair rather than prepare. For example, recent developments in biological medicine, as well as in surgical techniques—including heart transplants and banks of substitute organs—have emphasized restorative medicine. These are systems to repair damage which has already been done.

How much more productive it would be if we could unlock the secrets of body deterioration. A large-scale investigation into the basic processes of aging could yield such an incredible storehouse of information about man's development, that a whole new era of medical insight and competence could be born. Social scientists, physicians, and gerontological experts agree that basic research into the process of aging could possibly lead to mastery over the process which makes men old.

Present efforts in aging research are simply not going to get this important job done. There are two reasons for the inadequacy of the present research effort:

First, because the level of funding is unrealistically low—current total Federal expenditures for basic aging research come to about \$7.4 million annually, or less than 5 cents per person;

Second, because aging research has never been concentrated, never given visibility as a research area; and in consequence, many highly trained and dedicated researchers have overlooked the challenges in the field. There is no cohesion to tie all of the research together. Interdisciplinary projects and exhaustive studies would be much more effective if they were incorporated into an overall, coordinated research effort.

The Federal Government is already at work to provide coordinated facilities in aging research. The new Gerontology Research Center within the National Institute of Child Health and Human Development of the National Institutes of Health, will house more than 300 scientists and supporting personnel. It should provide a start for the effort needed to carry out biological research into the process of aging.

Now, we need to match this new physical facility with an equally innovative approach in overall research planning. I believe the bill I am introducing will provide that kind of approach. It would establish a commission, which would be responsible for drawing up a 5-year program of intensive aging research.

It would authorize this commission to set up an information bank which would contain information and statistical data concerning developments on the biological aspects of aging.

The bill would also create a biological research board within the commission which, under the supervision of the commission, will prepare a gerontological quinquennial research plan.

It would provide a vehicle for creating the strong governmental leadership necessary for a program offering such a dramatic impact upon our whole social structure, and upon the individual lives of each of us.

These proposals would open the door to a new era of high-level, energetic research in the basic human processes which lead to aging. There was a call for this kind of concerted effort from the 1961 White House Conference on Aging. Biological science and general medicine have given us so many techniques to employ, so much skill and dedication ready to be used, that it would be a tragic waste of time and energy if we were to let this research collapse for lack of cohesion and focus.

The bill I am introducing today would bring together all of the accumulated wisdom and expertise of the past, and focus this creative force on the immediate task of unearthing the mysteries of aging. We have it in our grasp, this elusive life force called aging; and it is up to us, as representatives of the concerned public, to provide the tools and materials needed to solve the riddle of why people grow old.

Mr. President, I have received letters and statements in support of a gerontological research “master plan” from a number of distinguished scientists and educators. I ask unanimous consent that some excerpts be reprinted in the RECORD. I also ask unanimous consent that an analysis of the bill be printed in the RECORD at the close of my remarks.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the excerpts and analysis will be printed in the RECORD.

The bill (S. 3784) to promote the advancement of biological research in aging through a comprehensive and intensive 5-year program for the systematic study of the basic origins of the aging process in human beings, introduced by Mr. WILLIAMS of New Jersey, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The excerpts and analysis, presented by Senator WILLIAMS of New Jersey, are as follows:

EXCERPTS FROM STATEMENTS IN SUPPORT OF A COORDINATED RESEARCH PLAN

Dr. Linus Pauling, noted scientist and researcher, now Professor of Molecular Chemistry at the University of California at San Diego:

"The possibilities of decreasing (this) suffering through research on senescence are in my opinion large enough to justify the expenditure of hundreds of millions of dollars per year, in addition to the expenditures now being made. The progress in molecular biology and medicine during recent years has been tremendous. Many fundamental discoveries have been made that suggest promising programs of developmental research. In addition, more money should be provided to support work in basic science, especially in the fields of molecular structure and molecular biology, because there is an excellent chance that additional very important discoveries can be made."

(Letter to Senator Williams, commenting on the needs in the field of aging research.)

Dr. Bernard L. Strehler, Professor of Biology, University of Southern California:

"I hope that the need for an understanding of the origin of the aging process and its direct relevance to other areas of biology and medicine is self-evident. I hope I have been sufficiently explicit in demonstrating that the present effort to understand this problem is far less than might have been hoped or expected. . . . I hope that you will give consideration to the proposal for an international gerontological quinquennium."

(Statement at hearings on "Long-Range Program and Research Needs in Aging and Related Fields," Washington, D.C., December 6, 1967.)

Dr. F. Marott Sinex, Chairman, Department of Biochemistry, Boston University:

"One of the most important things which Congress can do . . . is to focus attention of laymen and scientists on the aging challenge. Statements that aging research will be supported by responsible public leaders are effective in making scientists regard aging as a major problem. Congress and this Committee can give aging research visibility."

(Statement submitted to December, 1967, hearings.)

ANALYSIS OF AGING RESEARCH COMMISSION PROPOSAL

I. What are the major provisions of the Bill?

The bill would establish an Aging Research Commission, which would be responsible for preparing a five-year research program (to be known as the Gerontological Quinquennial Research Plan). It would instruct the Commission to gather, analyze, interpret and organize all of the available information on the biology of aging. The bill mandates the Commission to file a written report with the President one year after its inception.

II. Who would sit on the Research Commission?

The Commission would be made up of two biological scientists, two administrators from relevant areas, and one sociologist. In addition, a Biological Research Board, acting as a supplementary agency within the Commission, would carry out the specific task of drafting the five-year program of research; this Board would be composed of eight authoritative researchers in the field of aging.

III. What kinds of problems will the Commission attempt to face?

The Commission will be looking into the whole range of issues involved in the aging process—biological, psychological, physical, and social. It will be designed to coordinate all of the energy and resources now at work on the problems of aging, and direct these elements in a single, all-out attack on the secrets of growing old.

IV. Who would be affected by the work of the Commission?

All men and women, everywhere, would be affected; because all men and women share the common characteristic of aging. The Commission would attempt to devise means to unearth the deepest mysteries of

cellular growth and change, basic bodily chemistry, and complex psychological processes. These are traits of every man and woman, regardless of time or place or social status.

V. What are the dimensions of the Commission's task?

As proposed, the Commission would sit until June 30, 1969, at which time it would submit its report to the President. It is expected that the period of the quinquennial study would be from 1970 to 1975. At present, there are 19 million Americans over age 65; by 1975, there will be more than 21 million.

INTRODUCTION OF BILLS AND RESOLUTIONS PERTAINING TO THE OWNERSHIP OF LANDS ALONG A SECTION OF THE COLORADO RIVER

Mr. MURPHY. Mr. President, I wish to speak with respect to a matter that is of great interest to a number of people in my State and the adjoining States of Colorado and Arizona.

Today, on behalf of my colleague, the senior Senator from California, and myself, I introduce a series of bills and Senate resolutions pertaining to the ownership of lands along the lower section of the Colorado River. Over the years, portions of the river have changed course and because of these meanderings, there has arisen a dispute between the Federal Government and private citizens over title to the property. Legislative and judicial solutions to the problem have been sought but to date there has been no final judgment.

Many of these matters are working an extreme hardship on many people living in the area. The bills I introduce today seek to resolve at least some of the disputed claims legislatively. At the same time, I am introducing with each bill a Senate resolution which calls for the Chief Commissioner of the U.S. Court of Claims to designate, pursuant to section 1492 of title 28 of the United States Code, a trial commissioner to proceed in accordance with the applicable rules to determine the facts as mentioned in the resolutions and to report to the Congress on his findings of facts together with conclusions sufficient to inform the Congress whether the demands in question are legal or equitable claims, and the amounts, if any, legally or equitably due from the United States to the claimants.

The bills, Mr. President, involve the Secretary of the Interior and lands under his control. The resolutions, in turn, pertain directly to the bills. I ask unanimous consent, therefore, that the bills together with the accompanying resolutions be referred to the Senate Committee on Interior and Insular Affairs which has handled previous measures of a similar nature and which, I feel, should handle these bills and resolutions together.

The ACTING PRESIDENT pro tempore. The bills and resolutions will be received; and, without objection, will be referred to the Committee on Interior and Insular Affairs.

The bills, introduced by Mr. MURPHY (for himself and Mr. KUCHEL) were received, read twice by their titles, and

were referred to the Committee on Interior and Insular Affairs, as follows:

S. 3786. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California;

S. 3787. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California;

S. 3788. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California;

S. 3789. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3790. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3791. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3792. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3793. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California;

S. 3794. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California;

S. 3795. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3796. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3797. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3798. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3799. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3800. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3801. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3802. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California;

S. 3803. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim

to certain lands situated in the County of Riverside, State of California;

S. 3804. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3805. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California;

S. 3806. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California;

S. 3807. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3808. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3809. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3810. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California;

S. 3811. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3812. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California;

S. 3813. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3814. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3815. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3816. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3817. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California;

S. 3818. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3819. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3820. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3821. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3822. A bill to authorize the payment of private claims to R. A. Beaver and J. F. Beaver of Blythe, Calif.;

S. 3823. A bill to relinquish and disclaim any title to certain lands situated in Imperial County, Calif.;

S. 3824. A bill to relinquish and disclaim any title to certain lands situated in Imperial County, Calif.;

S. 3825. A bill to relinquish and disclaim any title to certain lands situated in Riverside County, Calif.;

S. 3826. A bill to relinquish and disclaim any title to certain lands situated in Yuma County, Ariz.;

S. 3827. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3828. A bill to relinquish and disclaim any title to certain lands situated in Yuma County, Ariz.;

S. 3829. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3830. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3831. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3832. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3833. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California; and

S. 3834. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California.

(For text of the resolutions referred to, see under the heading "Resolutions").

S. 3835—INTRODUCTION OF BILL ENTITLED "THE NEIGHBORHOOD HEALTH CENTER ACT"

Mr. PERCY. Mr. President, we all know that medical science has scored vast gains over the past 10 years. We know we have in America the finest doctors and finest hospitals in the world. But few realize that, at the same time, the relative quality of medical care of the American people has declined over the years. For instance, at one time we ranked sixth among the nations in our infant mortality rate. Today, we have slipped to 15th place. Medical knowledge and research capability have increased dramatically but, unfortunately, so has the cost of medical care so that today a smaller percentage of Americans can afford medical care than before.

It has been estimated that the cost of living will rise by 20 percent by 1975, but medical costs are expected to jump 140 percent. As medical care costs continue to skyrocket, fewer and fewer Americans can afford necessary medical attention.

The poor in the United States receive a disproportionately low share of the health services. Like in so many other areas, Federal health programs have tended to provide help to middle-income

Americans, while virtually ignoring the health problems of the poor. And the result is that the health of the poor in this country is a national disgrace.

Poor Americans are four times as likely to die before the age of 35 as the average citizen. Negro women in Mississippi die six times as often in childbirth as white women, and in some urban ghettos of the North, one child in 10 dies in infancy. The life expectancy for an American Negro at birth is 61 years, but for a white American it is 68 years.

And the health gap between the rich and the poor is growing. In 1940, the infant mortality rate for nonwhites was 70 percent higher than for whites. But in 1962, the rate was 90 percent greater. George James, former New York City commissioner of health, noted that if the death rate in a middle-class white neighborhood were projected for New York City as a whole, 12,000 lives a year would be saved. He stated that poverty is the third leading cause of death in New York City.

The changing social and medical order is creating, with increasingly compelling urgency, new challenges in health care. Contemporary patterns of disease and disability call for primary emphasis to be given to health maintenance measures; and the growing complexity of medical resources requires the integrated function of the health team. Effective health maintenance implies, in today's setting, a unified, personalized, and continuous service system.

Present medical care for the poor is fragmented, uncoordinated, and completely unresponsive to the total patient needs. It is hard to believe that, although we spend \$50 billion a year for health care, a recent report of the National Advisory Commission on Health Manpower stated flatly:

There is a crisis in American health care.

The report further stated:

Unless we improve the system through which health care is provided, care will continue to become less satisfactory even though there are massive increases in cost and in numbers of health personnel.

It is my position that we can get more from the health care dollar. Instead of pouring more dollars into a system in order to try to cover up the problems in the system, we should come to recognize that only a reorganization of the system itself will produce the level of care of which we are capable.

The Congress is presently at an important crossroads in the area of health legislation. New health legislation of the past several years has been addressed to important problems and certain demonstration programs have beamed a ray of hope into some hard core areas of need. However, these can only be looked upon as tentative first steps. And, as in so many other areas, once the path is first tread, we have only begun to realize the truly massive problems of personnel, organization, and financing that must be attended to. The time has now come to correct the inadequacies of the present system. The bill I offer today represents a step in this direction.

The present system of medical care virtually ignores the special health prob-

lems of the poor. In the past half-century there has been a trend toward urbanization of America's population. This trend has brought with it problems peculiar to city life. Among the problems has been the development of large neighborhoods in the central areas of our cities characterized by dilapidated housing, poor schools, low incomes, high levels of crime, unemployment, infant mortality, chronic disease, and, worst of all, hopelessness. As I have already pointed out, medical statistics demonstrate that people living in these areas are much less healthy than their well-to-do neighbors. For example, two-thirds of the children enrolled in Headstart projects were found to have significant emotional or physical defects at the age of 6; one-third of the working poor suffer from some significant chronic illness.

In the past, people without financial resources have been forced to turn to charity hospitals or the good will of the medical profession when care was required. Often, care was not available, and almost never was the care received comparable to that received by wealthier patients. The indignities of being poor were thus extended to the area of health care. In the vast wards of the municipal or county hospital such people were attended essentially by inexperienced young physicians.

This inequity has been known to the medical profession for many years, but only recently have the resources and the will of the Nation been directed at the problem. The most important step so far has been the passage of medicare and medicaid. This legislation established that good health for all citizens is a national goal worthy of America. Unfortunately, title 19—medicaid—has fallen short of this goal while greatly exceeding its anticipated cost. Thus, programs have had to be cut back in several States, leaving some of the gravest health problems untouched. But it is clear that even had medicaid not run into financial difficulty, it would still have been inadequate. Inadequate because it assumes that the only barrier to full health care for the poor is their inability to pay the physician's fees. The facts are, however, that in the large urban poverty areas it is extremely difficult to get to a doctor, even when money is available.

The major problem today is the inaccessibility of health personnel in both urban and rural poor areas. Although poor families have three times more disabling heart disease, seven times more visual impairment, and five times more mental illness, the average family with an income under \$3,000 has 40 percent fewer physician contacts than a family whose income is \$10,000 or more. It was startling to find that 50 percent of the Project Headstart children had never been seen by a physician.

The reasons for this inaccessibility are many and complex. The location of medical services, the hours at which they are offered, and the availability of transportation have not been taken into account in the planning of health services. Very often, prospective patients have no idea when and where to go for help. Existing facilities are old, understaffed, and

generally unpleasant. It is not uncommon for a person to have to ride half a day on the bus to get to a clinic, only to have to wait another 3 hours to see a physician, and then another hour to have his prescription filled. He may be turned away because he is in the wrong jurisdiction or he cannot prove his eligibility for the services.

Even if the patient is willing to pay for a physician's services, he may not be able to find a physician. A recent study of a Chicago area showed that the number of private doctors per capita was only half as great in poverty areas as in non-poverty areas. The shortage of trained specialists in these areas was found to be even more acute than the shortage of general practitioners. Therefore, not only is the care harder to get, but it is likely to be of lower quality.

Thus, although a person may be entitled under medicaid to go to any physician that will see him, he may still be required to travel great distances to a public clinic or the emergency room of a hospital in order to see a doctor, or, worse yet, he might decide it is not worth the trouble and wait until he needs an ambulance. In any case, it is clear that many people with definite medical problems are either prevented from getting needed care or the care is delayed.

Until recently, Federal programs for indigent health care have focused on specific disease categories. Funds have been made available for tuberculosis or rheumatic fever control, for immunizations, for preschool examinations, and prenatal clinics. The statistics show, however, that this categorical approach is, at best, a half-way measure—for without a personal doctor-patient relationship, the variety of threats to the health of an individual cannot be counteracted. Only the practicing physician, alert for any possible disease, can provide complete preventive care.

In fact, the chief complaints of physicians and other health personnel with whom I have spoken, working in the urban poverty areas, are of the fragmentation and lack of continuity of present Government programs. This simply means that too often, separate agencies are concerned with various aspects of illness. Thus, children may go to the child health clinic, diabetics go to the diabetic clinic, those with skin problems go to the dermatology clinic, and so on. Each week the family may have to seek out a different doctor, depending on one's ailment and eligibility. Rarely does a patient see the same doctor repeatedly. Various services are offered in different parts of town. Diseases are being treated, not sick people.

As previously discussed, medicaid programs have advanced only a partial solution to this problem. The Comprehensive Health Planning and Public Health Services Amendments of 1966—Public Law 89-749—and the Partnership for Health Amendments of 1967—Public Law 90-174—were addressed to the problem of improving community health services. A comprehensive approach implies inclusiveness; that is, many services under the same roof. Medically, the term "comprehensive" means a complete approach

to the individual no matter what his disease or disability. It is disturbing to report that of \$62.5 million authorized for comprehensive public health services, almost every cent appropriated was spent in categorical programs. Even more alarming is that of \$57.5 million appropriated—for 1967 under section 314(e) of Public Law 89-749—for the specific purposes of financing new approaches in the provision of health services, \$5 million was spent on new approaches and methods.

Certainly no one can impugn the intent of the categorical programs now supported by the Government. Prevention of disease and suffering is a goal to which we would all like to contribute. But, in fact, it is a sad irony that preventable diseases disable large numbers of Americans who live in the very shadow of the laboratories and medical schools that are spending millions of dollars in research moneys to conquer new diseases. The evidence is that a fragmented approach to the medical problems of the poor has not succeeded and will not succeed.

It is essential that any future legislation in the health field take into account factors of cost and efficiency of operation. However, at the outset it is important to emphasize that good health is a sound economic investment. The clearest examples are obviously preventable diseases.

Prevention requires that an individual have contact with a physician. The Government has recognized the economic cost of these diseases but the programs proposed are not addressed to the primary problem; the inaccessibility of medical care to the poor. For example, in New York City in 1964, a child from a family with income under \$4,000 was only half as likely to have had a polio immunization as a child of a family with income over \$6,000.

In adult life, disease is translated into poor work records. For example, employees with incomes under \$4,000 have twice as many absences from work per year as those with incomes over \$7,000. The economic cost mounts into the billions of dollars.

Vast sums of money have been spent on medical and basic scientific research. No one can deny that the average American has benefited greatly from the advances made in medical science in the past three decades. But commonsense tells us that, unless one gets to a physician, and the poor, as we have seen, too often do not, these advances mean nothing. Nor do the urban poor benefit equally from the millions spent for hospital expansion and modernization under the Hospital Survey and Construction Act; if anything, it is the more affluent with their greater demand for, and utilization of, available health services that have benefited from these programs. The poor have been virtually ignored. In fact, the more poverty stricken an individual is, the greater his isolation from modern medicine.

In an attempt to meet this problem, the Office of Economic Opportunity, under the demonstration cities legislation, has funded several clinics in so-called

hard-core poverty areas. These clinics, although stressing maternal and child health, are comprehensive; that is, the clinic attempts to provide for all the health needs of the poor family. Aides, who are local residents, are assigned the job of seeking to inform the neighborhood of the clinic's presence. The clinics are often hospital-affiliated, so that if hospitalization is required, the same physician is able to care for the patient before, during, and after a hospital stay. Many clinic patients had never been seen by a physician previously. Stress was laid on making the clinic a pleasant place—equivalent to a private doctor's office for wealthier clientele. It is clear from the standpoint of the patient that this is the most satisfactory way to partake of health services, with the family as the essential unit.

Experience to date with these demonstration programs suggests that initial health evaluation of the total family by the health team establishes a working relationship and the necessary base of information for an effective health program. It has been possible to change traditional patterns of medical care so as to emphasize preventative services and to offer coordination and continuity of care to families previously involved only with medical treatment during crises.

Economically, this approach is also the most attractive. If hospital utilization is to be reduced, preventive medicine must be practiced and full use of outpatient diagnosis methods must be encouraged. Fully equipped clinics, adequately staffed and directed toward the total health needs of the poor family, must be established. This must be the Federal health program of top priority. It has been established that over 1,000 clinics, each serving a population of about 10,000–30,000 people, would be needed to completely serve the health needs of the poor. As of February 1968, there were 14 OEO clinics in operation and fewer than 4 dozen planned.

Comprehensive clinics pay their own way. All evidence indicates that providing comprehensive outpatient care reduces hospital utilization dramatically. In a Mississippi comprehensive health center, a spot check after 2 years of operation indicated that the health level of local residents was raised to the point where the number of hospitalization days had been cut by 80 percent. Not only are many diseases prevented or diagnosed earlier, but hospitalization for diagnostic purposes can be avoided by providing such services in the clinic. Most important, the tendency to fragment medical services—fostered by most Federal programs—can be avoided. Perhaps many of the categorical programs will be found unnecessary, which would save more Federal dollars.

Medicare and Medicaid legislation was based on the traditional fee-for-service solo practice of medicine. Comprehensive care implies group practice. Although each person would have a personal physician, a wide range of specialty services would be made available. Medicare and Medicaid reimbursement plans are basically forms of health insurance. Long experience with health insurance plans

demonstrate that they are invariably associated with increased hospital utilization. Comprehensive group practice plans, on the other hand, show a conspicuously more efficient use of health personnel and facilities. Group practice plans are associated with overall lower cost and significantly lower hospital utilization. For example, in a recent comparison of similar groups of patients having health insurance plans based on fee-for-service versus those enrolled in group practice plans, annual hospital days per 1,000 patients was 415 for the group practice plans compared to 924 for the group with health insurance.

Medicare and Medicaid being forms of health insurance have thus tended to increase hospital utilization. On the other hand, it is significant that in its first 2 years of operation in a poverty area, the comprehensive care clinic of the Boston Columbia Point program has been associated with a 90-percent reduction in number of hospital patient-days for the population served. This trend should be encouraged.

In order to hasten the provision of good health care for all Americans while maintaining a strong orientation toward efficiency and economy, I am today introducing the Neighborhood Health Center Act (S. 3835).

The main provisions of this bill are as follows:

First. Federal funds are committed to the establishment of outpatient clinics in areas of low physician accessibility. Public Law 88-443, the Hospital and Medical Facilities Act of 1964, is amended to include comprehensive ambulatory care centers among the facilities eligible to be constructed with Federal funds. These centers will be staffed by a group of physicians with different specialty training in order to provide a wide range of services.

Second. No additional funds are authorized. However, the present restrictions under Public Law 88-443 are removed, and the type of project to be funded is left to the discretion of the State planning agency. It is felt that each State can best determine its own needs and priorities.

Third. In order to focus Federal expenditures on the health needs of the poor, State allotments will be calculated on the basis of the number of medically indigent families within each State rather than on the basis of a complicated formula involving average per-capita income and population. The industrialized States are discriminated against by the present formula because of their higher per-capita income. For example, the District of Columbia has the highest per-capita income of any State or territory, yet it has two to three times as many families with incomes under \$3,000 as four other States. At present, each of these four States receives a larger allotment than the District of Columbia.

Fourth. To make better use of Federal funds spent for research and planning, the bill provides for the consideration of recommendations of the areawide planning agencies established under Public Law 89-749.

Fifth. The major goal of the bill is provision of the best possible medical

care for all. Therefore, the bill provides for the Surgeon General to give priority to areas with low physician accessibility, because these are the areas of greatest need due to the fact that most present legislation ignores these areas.

Sixth. In order to avoid funding inefficient operations, the bill requires priority in granting funds be given to the most efficient facilities. This will, therefore, circumvent the pitfalls of Medicare and Medicaid which tend to reward the most inefficient operations by reimbursing on a cost basis.

It is anticipated that applicants will include groups of private physicians, medical schools and their affiliated hospitals, voluntary hospital centers, non-profit organizations, and local medical societies.

The Nation's health is its most valuable possession, and soundest investment. A program of neighborhood health centers would clear the most difficult obstacles between many of our citizens and a productive life.

I am submitting a section-by-section summary of the Neighborhood Health Center Act, a copy of the Neighborhood Health Center Act, and selected sections of title VI of the Public Health Service Act which is amended by the Neighborhood Health Center Act. I ask unanimous consent that these documents be printed at this point in the Record.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill, section-by-section summary, and sections of title VI of the Public Health Service Act will be printed in the Record.

The bill (S. 3835) to amend title VI of the Public Health Service Act to include within the scope of part A thereof comprehensive ambulatory health services, and otherwise to extend and improve the program established by such part A, introduced by Mr. PERCY, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 3835

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this act is to be cited as: "The Neighborhood Health Center Act of 1968."

SEC. 2. (a) Section 600(a) of the Public Health Service Act is amended by inserting "including comprehensive ambulatory care centers," immediately after "other medical facilities".

(b) Section 601 of such Act is amended to read as follows:

"SEC. 601. In order to assist the States in carrying out the purposes of Section 600, there are authorized to be appropriated, for grants for the construction or modernization of public or other nonprofit hospitals, public health centers, comprehensive ambulatory care centers, facilities for long-term care, diagnostic or treatment centers, and rehabilitation facilities, \$280,000,000 for the fiscal year ending June 30, 1969."

(c) (1) Section 602(a) of such Acts is amended to read as follows:

"(a) Each State shall be entitled for each fiscal year, beginning with the fiscal year which ends June 30, 1969, to an allotment bearing the same ratio to the sums appropriated for such year pursuant to Section 601 as the number of medically indigent individuals in such State bears to the sum of

the medically indigent individuals in all the States."

(2) Section 602(b)(1) of such Act is amended to read as follows:

"(1) The allotment to any State under subsection (a) for a fiscal year which is less than \$175,000 for the Virgin Islands, American Samoa, or Guam and \$450,000 for any other State shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing the allotment for such fiscal year to each of the remaining States, but with such adjustments as may be necessary to prevent the allotment of any of such remaining States from being thereby reduced to less than that amount."

(3) Section 602(c) of such Act is hereby repealed.

(4) Section 602 of such Act is further amended by striking out subsections (e) and (f) thereof and by adding after subsection (d) thereof the following new subsection:

"(e) In accordance with regulations, any State may file with the Surgeon General a request that a specified portion of its allotment under this part be added to the allotment under this part of another State for the purpose of meeting a portion of the Federal share of the cost of a project, in such other State, which is designed to carry out one or more of the purposes set forth in Section 600. Any such request shall contain or be supported by a certification, by the State, that the appropriate areawide health planning agency in such State has been informed of and consulted with respect to such request, and by a statement as to whether any such planning agency approves of such request. If it is found by the Surgeon General and the Secretary that the completion of the project with respect to which the request is made would meet the needs of the State making the request and that use of the specified portion of such State's allotment, as requested by it, would assist in carrying out the purposes of this title, such portion of such State's allotment shall be added to the corresponding allotment of the other State, to be used for the purpose referred to above."

(d) Section 603(a) of such Act is amended by inserting after paragraph (3) thereof the following new paragraph:

"(4) In the case of projects for the construction of comprehensive ambulatory care centers, to facilities located in areas of low physician accessibility, as determined by the State agency after taking into consideration the views of any State, local, or areawide, health planning agencies within the State the planning activities of which include the area wherein any such project is to be located; and".

(e) (1) Section 604(a)(4) of such Act is amended (A) by redesignating subparagraph (E) thereof as subparagraph (F), (B) by striking out "and" at the end of subparagraph (D) thereof, and (C) by inserting after subparagraph (D) thereof the following new subparagraph:

"(E) the comprehensive ambulatory care centers needed to provide adequate health services for people residing in the State, and a plan for the distribution of such centers throughout the State; and".

(2) Section 604(a)(5) of such Act is amended by inserting "comprehensive ambulatory health centers" immediately after "diagnostic or treatment centers".

(3) Section 604(a) of such Act is further amended (A) by striking out "and" at the end of paragraph (11) thereof, (B) by redesignating paragraph (12) thereof as paragraph (13), and (C) by adding after paragraph (11) thereof the following new paragraph:

"(12) provide that the State agency shall furnish to the Surgeon General with respect

to each application for a project, detailed information regarding the costs of services to be provided by the proposed health facility; and".

(f) (1) The first sentence of section 605(b) of such Act is amended (A) by striking out "and (4)" and inserting in lieu thereof "(4)"; and (B) by inserting immediately before the period at the end thereof the following: ", and (5) that such project is in furtherance of or consistent with any comprehensive health plan carried out by the State agency, referred to in section 314(a) (2) (A), of the State in which such project is to be located".

(2) Section 605 of such Act is further amended by adding at the end thereof the following new subsection:

"(f) An application for a project shall be approved under this section only if—

"(1) the applicant supplies the Surgeon General with such data as may be necessary in order for him to determine the efficiency of operation of any other health facilities operated by such applicant; and

"(2) the Surgeon General determines that such other health facilities operated by the applicant are being operated efficiently; and

"(3) the Surgeon General determines that it is, or has the potential to be, the most efficiently operated project in the area."

(g) Section 607(f) of such Act is amended by striking out "any one or more subparagraphs of".

(h) (1) Section 625(b) of such Act is amended to read as follows:

"(b) The term 'Federal share' with respect to any project means the proportion of the cost of construction of such project to be paid by the Federal Government, and shall be whichever of the following the State elects—

"(1) the share determined by the State agency in accordance with standards, included in the State plan, which provide equitably for variations between projects on the basis of objective criteria related to the economic status of areas and, if the State so elects, such other factor or factors as may be appropriate and be permitted by regulations, except that such standards may not be provided for a Federal share of more than 66⅔ per centum or less than 33⅓ per centum,

"(2) the amount (not less than 33⅓ per centum and not more than 66⅔ per centum) established by the State for all projects in the State, or

"(3) 50 per centum of the cost of construction of the project.

The State agency shall, prior to the approval by it, under the State plan approved under part A, of the first project in the State during any fiscal year, give written notification to the Surgeon General of the Federal share which it has elected pursuant to the preceding sentence of this subsection for projects in such State to be approved by the Surgeon General during such fiscal year, and such Federal share or shares for projects in each State approved by the Surgeon General during such fiscal year shall not be changed after approval of such first project by the State."

(2) Section 625 of such act is further amended by adding at the end thereof the following new subsections:

"(m) The term 'comprehensive ambulatory care center' means a clinic which is staffed by a group of licensed medical doctors of various specialties and which provides a wide range of diagnostic and treatment services to patients who do not require hospitalization.

"(n) The term 'medically indigent' is defined as an individual eligible for medical assistance until Title XIX of the Social Security Amendments of 1965 for those states which have implemented plans defined therein. For other states, 'medically indigent'

means individuals so designated under regulations prescribed by the Secretary."

SEC. 3. The amendments made by the first section of this Act shall take effect July 1, 1969.

The section-by-section summary and selections from title VI, presented by Mr. PERCY, are as follows:

SECTION-BY-SECTION SUMMARY OF THE NEIGHBORHOOD HEALTH CENTER ACT

(a) Amends the purpose section of title VI of the Public Health Service Act to include comprehensive ambulatory care centers among the categories of facilities to be assisted.

(b) Eliminates the earmarking of funds for specific categories of projects. The type of projects to be funded in each state is left to the discretion of the State planning agency.

Changes the present state allotment formula which is based upon average per capita income and population to one based upon the number of medically indigent in each state.

(c) Requires the approval of the appropriate areawide health planning agency for a state to share its allotment with another state.

(d) Requires that the surgeon general, in prescribing regulations under the comprehensive ambulatory care center program, give priority to areas of low physician accessibility.

(e) Requires that the state plan include information on the number of comprehensive ambulatory care centers needed to provide adequate health services for the state.

Requires that information be submitted with each application detailing the cost of health services to be provided by the proposed facility.

(f) Requires projects to be consistent with comprehensive health plans provided for under the Comprehensive Health Planning and Public Health Services Amendments of 1966. Applications must provide data concerning efficiency of operation of health facilities presently operated by the applicant and requires the surgeon general to give priority to the most efficient project applicants.

(g) Technical amendment.

(h) Technical amendment.

Defines "Comprehensive Ambulatory Care Center" and "medically indigent family population".

SECTION TWO

The Neighborhood Health Center Act shall take effect July 1, 1969.

TITLE VI—ASSISTANCE FOR CONSTRUCTION AND MODERNIZATION OF HOSPITALS AND OTHER MEDICAL FACILITIES¹

DECLARATION OF PURPOSE

SEC. 600. The purpose of this title is—

(a) to assist the several States in the carrying out of their programs for the construction and modernization of such public or other nonprofit community hospitals and other medical facilities as may be necessary, in conjunction with existing facilities, to furnish adequate hospital, clinic, or similar services to all their people;

(b) to stimulate the development of new or improved types of physical facilities for medical, diagnostic, preventive, treatment, or rehabilitative services; and

(c) to promote research, experiments, and demonstrations relating to the effective development and utilization of hospital, clinic, or similar services, facilities, and resources, and to promote the coordination of such research, experiments, and demonstrations and the useful application of their results.

¹ Title VI was completely revised by sec. 3(a) P.L. 88-443.

PART A—GRANTS AND LOANS FOR CONSTRUCTION AND MODERNIZATION OF HOSPITALS AND OTHER MEDICAL FACILITIES

AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION GRANTS

SEC. 601. In order to assist the States in carrying out the purposes of section 600, there are authorized to be appropriated—

(a) for the fiscal year ending June 30, 1965, and each of the next four fiscal years—

(1) \$70,000,000 for grants for the construction of public or other nonprofit facilities for long-term care;

(2) \$20,000,000 for grants for the construction of public or other nonprofit diagnostic or treatment centers;

(3) \$10,000,000 for grants for the construction of public or other nonprofit rehabilitation facilities;

(b) for grants for the construction of public or other nonprofit hospitals and public health centers and for grants for modernization of such facilities and the facilities referred to in paragraph (a), \$150,000,000 for the fiscal year ending June 30, 1965, \$160,000,000 for the fiscal year ending June 30, 1966, \$170,000,000 for the fiscal year ending June 30, 1967, and \$180,000,000 each for the next two fiscal years.

STATE ALLOTMENTS

SEC. 602. (a) (1) Each State shall be entitled for each fiscal year to an allotment bearing the same ratio to the sums appropriated for such year pursuant to subparagraphs (1), (2), and (3), respectively, of section 601(a), and to an allotment bearing the same ratio to the new hospital portion of the sums appropriated for such year pursuant to section 601(b), as the product of—

(A) the population of such State, and

(B) the square of its allotment percentage, bears to the sum of the corresponding products for all of the States. As used in this paragraph, the new hospital portion of sums appropriated pursuant to section 601(b) (which portion shall be available for grants for the construction of public or other nonprofit hospitals and public health centers) is 100 per centum of such sums in the case of the fiscal year ending June 30, 1965, seven-eighths thereof in the case of the first fiscal year thereafter, twenty-seven thirty-fourths thereof in the case of the second fiscal year thereafter, thirteen-eightieths thereof in the case of the third fiscal year thereafter, twenty-five thirty-sixths thereof in the case of the fourth fiscal year thereafter.

(2) For each fiscal year beginning after June 30, 1965, the Surgeon General shall, in accordance with regulations, make allotments from the remainder of the sums appropriated pursuant to section 601(b) (which portion shall be available for grants for modernization of facilities referred to in paragraphs (a) and (b) of section 601) on the basis of the population, the extent of the need for modernization of the facilities referred to in paragraphs (a) and (b) of section 601, and the financial need of the respective States.

(b) (1) The allotment to any State under subsection (a) for fiscal year which is less than—

(A) \$25,000 for the Virgin Islands, American Samoa, or Guam and \$50,000 for any

other State, in the case of an allotment for grants for the construction of public or other nonprofit rehabilitation facilities.

(B) \$50,000 for the Virgin Islands, American Samoa, or Guam and \$200,000 for any other State in the case of an allotment for grants for the construction of public or other nonprofit diagnostic or treatment centers, or

(C) \$100,000 for the Virgin Islands, American Samoa, Guam and \$200,000 for any other State in the case of an allotment for grants for the construction of public or other nonprofit facilities for long-term care or for the construction of public or other nonprofit hospitals and public health centers, or for the modernization of facilities referred to in paragraph (a) or (b) of section 601,

shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing the allotment from appropriations under such subparagraph or paragraph to each of the remaining States under subsection (a) of this section, but with such adjustments as may be necessary to prevent the allotment of any of such remaining States from appropriations under such subparagraph or paragraph from being thereby reduced to less than that amount.

(2) An allotment of the Virgin Islands, American Samoa, or Guam for any fiscal year may be increased as provided in paragraph (1) only to the extent it satisfies the Surgeon General, at such time prior to the beginning of such year as the Surgeon General may designate, that such increase will be used for payments under and in accordance with the provisions of this part.

(c) For the purposes of this part—

(1) The "allotment percentage" for any State shall be 100 per centum less that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the United States, except that (A) the allotment percentage shall in no case be more than 75 per centum or less than 33½ per centum, and (B) the allotment percentage for the Commonwealth of Puerto Rico, Guam, American Samoa, and the Virgin Islands shall be 75 per centum.

(2) The allotment percentages shall be determined by the Surgeon General between July 1 and September 30 of each even-numbered year, on the basis of the average of the per capita incomes of each of the States and of the United States for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce, and the States shall be notified promptly thereof. Such determination shall be conclusive for each of the two fiscal years in the period beginning July 1 next succeeding such determination.

(3) The population of the several States shall be determined on the basis of the latest figures certified by the Department of Commerce.

(4) The term "United States" means (but only for purposes of paragraphs (1) and (2)) the fifty States and the District of Columbia.

(d) (1) Any sum allotted to a State, other than the Virgin Islands, American Samoa, and Guam for a fiscal year under this section and remaining unobligated at the end of such year shall remain available to such State, for the purpose for which made, for the next fiscal year (and for such year only), in addition to the sums allotted to such State for such purpose for such next fiscal year.

(2) Any sum allotted to the Virgin Islands, American Samoa, or Guam for a fiscal

year under this section and remaining unobligated at the end of such year shall remain available to it, for the purpose for which made, for the next two fiscal years (and for such years only), in addition to the sums allotted to it for such purpose for each of such next two fiscal years.

(e) (1) Upon the request of any State that—

(A) a specified portion of any allotment of such State under paragraph (1) of subsection (a), other than an allotment for grants for the construction of public or other nonprofit rehabilitation facilities, be added to another allotment of such State under paragraph (1) or (2) of such subsection, other than an allotment for grants for the construction of public or other nonprofit hospitals and public health centers, or

(B) a specified portion of an allotment of such State under paragraph (2) of subsection (a) be added to an allotment of such State under paragraph (1) of such subsection, and upon simultaneous certification to the Surgeon General by the State agency in such State to the effect that—

(C) it has afforded a reasonable opportunity to make applications for the portion so specified and there have been no approvable applications for such portion, or

(D) in the case of a request to transfer a portion of an allotment under paragraph (1) of subsection (a) for grants for the construction of public or other nonprofit hospitals and public health centers, use of such portion as requested by such State agency will better carry out the purposes of this title,

the Surgeon General shall promptly (but after application of subsection (b)) adjust the allotments of such State in accordance with such request and shall notify the State agency.

(2) In addition to the transfer of portions of allotments under paragraph (1), the Surgeon General, upon the request of any State that a specified portion of an allotment of such State under paragraph (2) of subsection (a) be added to an allotment of such State under paragraph (1) of such subsection for grants for the construction of public or other nonprofit hospitals and public health centers and upon simultaneous certification to him by the State agency in such State to the effect that the need for new public or other nonprofit hospitals and public health centers is substantially greater than the need for modernization of facilities referred to in paragraph (a) or (b) of section 601, shall promptly (but after application of subsection (b) of this section) adjust the allotments of such State in accordance with such request and shall notify the State agency; except that not more than the following portions of allotments of a State under paragraph (2) of subsection (a) may be added (under this paragraph) to allotments of such State under paragraph (1) of such subsection:

(A) in the case of an allotment under paragraph (2) of subsection (a) for the fiscal year ending June 30, 1966, one-half of such allotment;

(B) in the case of an allotment, thereunder for the fiscal year ending June 30, 1967, three-sevenths of such allotment;

(C) in the case of an allotment thereunder for the fiscal year ending June 30, 1968, two-fifths of such allotment; and

(D) in the case of an allotment thereunder for the fiscal year ending June 30, 1969, five-elevenths of such allotment.

(3) After adjustment of allotments of any State as provided in paragraph (1) or (2) of this subsection, the allotments as so adjusted shall be deemed to be the State's allotments under this section.

(f) In accordance with regulations, any State may file with the Surgeon General a request that a specified portion of an allotment to it under this part for grants for

³ Sec. 3(b)(5) of P.L. 88-443, provided for the following exception in sec. 602(a)(2) of the PHS Act: "no application with respect to a project for modernization of any facility in any State may be approved by the Surgeon General, for purposes of receiving funds from an allotment under section 602(a)(2) of the Public Health Service Act, as amended by this Act, before July 1, 1965, or before such State has had a State plan approved by the Surgeon General as meeting the requirements of section 604(a)(4)(E) as well as the other requirements of section 604 of such act as so amended."

³ Sec. 3(b)(2) of P.L. 88-443, provided for the following exception in sec. 602(c) of the P.H.S. Act: "allotment percentages promulgated by the Surgeon General under such title VI during 1962 shall continue to be effective for purposes of such title as amended by this Act for the fiscal year ending June 30, 1965."

construction of any type of facility, or for modernization of facilities, be added to the corresponding allotment of another State for the purpose of meeting a portion of the Federal share of the cost of a project for the construction of a facility of that type in such other State, or for modernization of a facility in such other State, as the case may be. If it is found by the Surgeon General (or, in the case of a rehabilitation facility, by the Surgeon General and the Secretary) that construction or modernization of the facility with respect to which the request is made would meet needs of the State making the request and that use of the specified portion of such State's allotment, as requested by it, would assist in carrying out the purposes of this title, such portion of such State's allotment shall be added to the corresponding allotment of the other State to be used for the purpose referred to above.

GENERAL REGULATIONS

SEC. 603. The Surgeon General, with the approval of the Federal Hospital Council, and the Secretary of Health, Education, and Welfare, shall by general regulations prescribe—

(a) the general manner in which the State agency shall determine the priority of projects based on the relative need of different areas lacking adequate facilities of various types for which assistance is available under this part, giving special consideration—

(1) in the case of projects for the construction of hospitals, to facilities serving rural communities and areas with relatively small financial resources;

(2) in the case of projects for the construction of rehabilitation facilities, to facilities operated in connection with a university teaching hospital which will provide an integrated program of medical, psychological, social, and vocational evaluation and services under competent supervision; [and]

(3) in the case of projects for modernization of facilities, to facilities serving densely populated areas; and [—]

(b) general standards of construction and equipment for facilities of different classes and in different types of location, for which assistance is available under this part;

(c) criteria for determining needs for general hospital and long-term care beds, and needs for hospitals and other facilities for which aid under this part is available, and for developing plans for the distribution of such beds and facilities;

(d) criteria for determining the extent to which existing facilities, for which aid under this part is available, are in need of modernization; and

(e) that the State plan shall provide for adequate hospitals, and other facilities for which aid under this part is available, for all persons residing in the State, and adequate hospitals (and such other facilities) to furnish needed services for persons unable to pay therefor. Such regulations may also require that before approval of an application for a project is recommended by a State agency to the Surgeon General for approval under this part, assurance shall be received by the State from the applicant that (1) the facility or portion thereof to be constructed or modernized will be made available to all persons residing in the territorial area of the applicant; and (2) there will be made available in the facility or portion thereof to be constructed or modernized a reasonable volume of services to persons unable to pay therefor, but an exception shall be made if such a requirement is not feasible from a financial viewpoint.

STATE PLANS

SEC. 604. (a) Any State desiring to participate in this part may submit a State plan. Such plan must—

⁴Sec. 3(a) of P.L. 88-581, amended sec. 603(a), effective July 1, 1965, by deleting clause (4).

(1) designate a single State agency as the sole agency for the administration of the plan, or designate such agency as the sole agency for supervising the administration of the plan;

(2) contain satisfactory evidence that the State agency designated in accordance with paragraph (1) will have authority to carry out such plan in conformity with this part;

(3) provide for the designation of a State advisory council which shall include representatives of nongovernmental organizations or groups, and of public agencies, concerned with the operation, construction, or utilization of hospital or other facilities for diagnosis, prevention, or treatment of illness or disease, or for provision of rehabilitation services, and an equal number of representatives of consumers familiar with the need for the services provided by such facilities, to consult with the State agency in carrying out the plan, and provide, if such council does not include any representatives of nongovernmental organizations or groups, or State agencies, concerned with rehabilitation, for consultation with organizations, groups, and State agencies so concerned;

(4) set forth, in accordance with criteria established in regulations prescribed under section 603 and on the basis of a statewide inventory of existing facilities, a survey of need, and (except to the extent provided by or pursuant to such regulations) community, area, or regional plans—

(A) the number of general hospital beds and long-term care beds, and the number and types of hospital facilities and facilities for long-term care, needed to provide adequate facilities for inpatient care of people residing in the State, and a plan for the distribution of such beds and facilities in service areas throughout the State;

(B) the public health centers needed to provide adequate public health services for people residing in the State, and a plan for the distribution of such centers throughout the State;

(C) the diagnostic or treatment centers needed to provide adequate diagnostic or treatment services to ambulatory patients residing in the State, and a plan for distribution of such centers throughout the State;

(D) the rehabilitation facilities needed to assure adequate rehabilitation services for disabled persons residing in the State, and a plan for distribution of such facilities throughout the State; and

(E) effective January 1, 1966, the extent to which existing facilities referred to in section 601 (a) or (b) in the State are in need of modernization;

(5) set forth a construction and modernization program conforming to the provisions set forth pursuant to paragraph (4) and regulations prescribed under section 603 and providing for construction or modernization of the hospital or long-term care facilities, public health centers, diagnostic or treatment centers, and rehabilitation facilities which are needed, as determined under the provisions so set forth pursuant to paragraph (4);

(6) set forth, with respect to each of such types of medical facilities, the relative need, determined in accordance with regulations prescribed under section 603, for projects for facilities of that type, and provide for the construction or modernization, insofar as financial resources available therefor and for maintenance and operation make possible, in the order of such relative need;

(7) provide minimum standards (to be fixed in the discretion of the State) for the maintenance and operation of facilities providing inpatient care which receive aid under this part and, effective July 1, 1966, provide for enforcement of such standards with respect to projects approved by the Surgeon General under this part after June 30, 1964;

(8) provide such methods of administration of the State plan, including methods relating to the establishment and maintenance of personnel standards on a merit basis

(except that the Surgeon General shall exercise no authority with respect to the selection, tenure of office, or compensation of any individual employed in accordance with such methods), as are found by the Surgeon General to be necessary for the proper and efficient operation of the plan;

(9) provide for affording to every applicant for a construction or modernization project an opportunity for a hearing before the State agency;

(10) provide that the State agency will make such reports, in such form and containing such information, as the Surgeon General may from time to time reasonably require, and will keep such records and afford such access thereto as the Surgeon General may find necessary to assure the correctness and verification of such reports;

(11) provide that the Comptroller General of the United States or his duly authorized representatives shall have access for the purpose of audit and examination to the records specified in paragraph (10); and

(12) provide that the State agency will from time to time, but not less often than annually, review its State plan and submit to the Surgeon General any modifications thereof which it considers necessary.

(b) The Surgeon General shall approve any State plan and any modification thereof which complies with the provisions of subsection (a). If any such plan or modification thereof shall have been disapproved by the Surgeon General for failure to comply with subsection (a), the Federal Hospital Council shall, upon request of the State agency, afford it an opportunity for hearing. If such Council determines that the plan or modification complies with the provisions of such subsection, the Surgeon General shall thereupon approve such plan or modification.

APPROVAL OF PROJECTS FOR CONSTRUCTION OR MODERNIZATION

SEC. 605.⁵ (a) For each project pursuant to a State plan approved under this part, there shall be submitted to the Surgeon General, through the State agency, an application by the State or a political subdivision thereof or by a public or other nonprofit agency. If two or more such agencies join in the project, the application may be filed by one or more of such agencies. Such application shall set forth—

(1) a description of the site for such project;

(2) plans and specifications therefor, in accordance with regulations prescribed under section 603;

(3) reasonable assurance that title to such site is or will be vested in one or more of the agencies filing the application or in a public or other nonprofit agency which is to operate the facility on completion of the project;

(4) reasonable assurance that adequate financial support will be available for the completion of the project and for its maintenance and operation when completed;

(5) reasonable assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of construction or modernization on the project will be paid wages at rates not less than those prevailing on similar work in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5); and the Secretary of Labor shall have with respect to the labor standards specified in this paragraph the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section

⁵Sec. 3(b) (1) of P.L. 88-443, provided for the following exception in sec. 605 of the P.H.S. Act: "all applications approved by the Surgeon General under title VI of the Public Health Service Act prior to such date [Aug. 18, 1964] and allotments of sums appropriated prior to such date, shall be governed by the provisions of such title VI in effect prior to such date."

2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c); and

(6) a certification by the State agency of the Federal share for the project.

(b) The Surgeon General shall approve such application if sufficient funds to pay the Federal share of the cost of such project are available from the appropriate allotment to the State, and if the Surgeon General finds (1) that the application contains such reasonable assurance as to title, financial support, and payment of prevailing rates of wages; (2) that the plans and specifications are in accord with the regulations prescribed pursuant to section 603; (3) that the application is in conformity with the State plan approved under section 604 and contains an assurance that in the operation of the project there will be compliance with the applicable requirements of the regulations prescribed under section 603(e), and with State standards for operation and maintenance; and (4) that the application has been approved and recommended by the State agency and is entitled to priority over other projects within the State in accordance with the regulations prescribed pursuant to section 603(a). Notwithstanding the preceding sentence, the Surgeon General may approve such an application for a project for construction or modernization of a rehabilitation facility only if it is also approved by the Secretary of Health, Education, and Welfare.

(e) No application shall be disapproved until the Surgeon General has afforded the State agency an opportunity for a hearing.

(d) Amendment of any approved application shall be subject to approval in the same manner as an original application.

(e) Notwithstanding any other provision of this title, no application for a diagnostic or treatment center shall be approved under this section unless the applicant is (1) a State, political subdivision, or public agency, or (2) a corporation or association which owns and operates a nonprofit hospital (as defined in section 625).

PAYMENTS FOR CONSTRUCTION OR MODERNIZATION

SEC. 606. (a) Upon certification to the Surgeon General by the State agency, based upon inspection by it, that work has been performed upon a project, or purchases have been made, in accordance with the approved plans and specifications, and that payment of an installment is due to the applicant, such installment shall be paid to the State, from the applicable allotment of such State, except that (1) if the State is not authorized by law to make payments to the applicant, or if the State so requests, the payment shall be made directly to the applicant, (2) if the Surgeon General, after investigation or otherwise, has reason to believe that any act (or failure to act) has occurred requiring action pursuant to section 607, payment may, after he has given the State agency notice of opportunity for hearing pursuant to such section, be withheld, in whole or in part, pending corrective action or action based on such hearing, and (3) the total of payments under this subsection with respect to such project may not exceed an amount equal to the Federal share of the cost of construction of such project.

(b) In case an amendment to an approved application is approved as provided in section 605 or the estimated cost of a project is revised upward, any additional payment with respect thereto may be made from the applicable allotment of the State for the fiscal year in which such amendment or revision is approved.

(c) (1) At the request of any State, a portion of any allotment or allotments of such State under this part shall be available to pay one-half (or such smaller share as the State may request) of the expenditures found necessary by the Surgeon General for the proper and efficient administration dur-

ing such year of the State plan approved under this part; except that not more than 2 per centum of the total of the allotments of such State for a year, or \$50,000, whichever is less, shall be available for such purpose for such year. Payments of amounts due under this paragraph may be made in advance or by way of reimbursement, and in such installments, as the Surgeon General may determine.

(2) Any amount paid under paragraph (1) to any State for any fiscal year shall be paid on condition that there shall be expended from State sources for such year for administration of the State plan approved under this part not less than the total amount expended for such purposes from such sources during the fiscal year ending June 30, 1964.

WITHHOLDING OF PAYMENTS

SEC. 607. Whenever the Surgeon General, after reasonable notice and opportunity for hearing to the State agency designated as provided in section 604(a)(1), finds—

(a) that the State agency is not complying substantially with the provisions required by section 604 to be included in its State plan; or

(b) that any assurance required to be given in an application filed under section 605 is not being or cannot be carried out; or

(c) that there is a substantial failure to carry out plans and specifications approved by the Surgeon General under section 605; or

(d) that adequate State funds are not being provided annually for the direct administration of the State plan, the Surgeon General may forthwith notify the State agency that—

(e) no further payments will be made to the State under this part, or

(f) no further payments will be made from the allotments of such State from appropriations under any one or more subparagraphs or paragraphs of section 601, or for any project or projects, designated by the Surgeon General as being affected by the action or inaction referred to in paragraph (a), (b), (c), or (d) of this section, as the Surgeon General may determine to be appropriate under the circumstances; and, except with regard to any project for which the application has already been approved and which is not directly affected, further payments may be withheld, in whole or in part, until there is no longer any failure to comply (or carry out the assurance or plans and specifications or provide adequate State funds, as the case may be), or, if such compliance (or other action) is impossible, until the State repays or arranges for the repayment of Federal moneys to which the recipient was not entitled.

(Sections 608 through 624 have not been printed as they are not pertinent to the Neighborhood Health Center Act.)

DEFINITIONS

SEC. 625. For the purposes of this title—

(a) The term "State" includes the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the District of Columbia.

(b) The term "Federal share" with respect to any project means the proportion of the cost of construction of such project to be paid by the Federal Government, determined as follows:

(1) With respect to projects for which grants are made from allotments made from appropriations under paragraph (b) of section 601, the Federal share shall be whichever of the following the State elects:

(A) the share determined by the State agency in accordance with standards, included in the State plan, which provide equitably for variations between projects on the basis of objective criteria related to the economic status of areas and, if the State so elects, such other factor or factors as may be appropriate and be permitted by

regulations, except that such standards may not provide for a Federal share of more than 66⅔ per centum, or less than 33⅓ per centum, or

(B) the amount (not less than 33⅓ per centum and not more than either 66⅔ per centum or the State's allotment percentage, whichever is lower) established by the State agency for all projects in the State;

(2) With respect to projects for which grants are made from allotments made from appropriations under paragraph (a) of section 601, the Federal share shall be whichever of the following the State elects:

(A) the share determined by the State agency in accordance with the standards, included in the State plan, and meeting the requirements set forth in subparagraph (A) or paragraph (1),

(B) the amount (not less than 33⅓ per centum and not more than either 66⅔ per centum or the State's allotment percentage, whichever is lower) established by the State agency for all projects in the State, or

(C) 50 per centum of the cost of construction of the project.

The State agency shall, prior to the approval by it, under the State plan approved under part A, of the first project in the State during any fiscal year, give written notification to the Surgeon General of the Federal share which it has elected pursuant to paragraph (1), and the Federal share which it has elected pursuant to paragraph (2), of this subsection for projects in such State to be approved by the Surgeon General during such fiscal year, and such Federal share or shares for projects in such State approved by the Surgeon General during such fiscal year shall not be changed after approval of such first project by the State.

(c) The term "hospital" includes general, tuberculosis, and other types of hospitals, and related facilities, such as laboratories, outpatient departments, [nurses' home facilities,] and central service facilities operated in connection with hospitals, but does not include any hospital furnishing primarily domiciliary care.

(d) The term "public health center" means a publicly owned facility for the provision of public health services, including related publicly owned facilities such as laboratories, clinics, and administrative offices operated in connection with such a facility.

(e) The term "nonprofit" as applied to any facility means a facility which is owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

(f) The term "diagnostic or treatment center" means a facility for the diagnosis or diagnosis and treatment of ambulatory patients—

(1) which is operated in connection with a hospital, or

(2) in which patient care is under the professional supervision of persons licensed to practice medicine or surgery in the State, or in the case of dental diagnosis or treatment, under the professional supervision of persons licensed to practice dentistry in the State.

(g) The term "rehabilitation facility" means a facility which is operated for the primary purpose of assisting in the rehabilitation of disabled persons through an integrated program of—

(1) medical evaluation and services, and

(2) psychological, social, or vocational evaluation and services, under competent professional supervision, and in the case of which—

(3) the major portion of the required evaluation and services is furnished within the facility; and

(4) either (A) the facility is operated in connection with a hospital, or (B) all medical and related health services are prescribed

by, or are under the general direction of, persons licensed to practice medicine or surgery in the State.

(h) The term "facility for long-term care" means a facility providing in-patient care for convalescent or chronic disease patients who require skilled nursing care and related medical services—

(1) which is a hospital (other than a hospital primarily for the care and treatment of mentally ill or tuberculous patients) or is operated in connection with a hospital, or

(2) in which such nursing care and medical services are prescribed by, or are performed under the general direction of, persons licensed to practice medicine or surgery in the State.

(i) The term "construction" includes construction of new buildings, expansion, remodeling, and alteration of existing buildings, and initial equipment of any such buildings (including medical transportation facilities); including architects' fees, but excluding the cost of offsite improvements and, except with respect to public health centers, the cost of the acquisition of land.

(j) The term "cost" as applied to construction or modernization means the amount found by the Surgeon General to be necessary for construction and modernization respectively, under a project, except that such term, as applied to a project for modernization of a facility for which a grant or loan is to be made from an allotment under section 602(a) (2), does not include any amount found by the Surgeon General to be attributable to expansion of the bed capacity of such facility.

(k) The term "modernization" includes alteration, major repair (to the extent permitted by regulations), remodeling, replacement, and renovation of existing buildings (including initial equipment thereof), and replacement of obsolete, built-in (as determined in accordance with regulations) equipment of existing buildings.

(l) The term "title," when used with reference to a site for a project, means a fee simple, or such other estate or interest (including a leasehold on which the rental does not exceed 4 per centum of the value of the land) as the Surgeon General finds sufficient to assure for a period of not less than fifty years' undisturbed use and possession for the purposes of construction and operation of the project.

ADDITIONAL COSPONSORS OF BILLS

Mr. MORSE. Mr. President, I ask unanimous consent that at the next printing of the bill (S. 2202) to curb the advertising of alcoholic beverages on radio and television, the name of the Senator from West Virginia [Mr. RANDOLPH] be added as a cosponsor.

THIRTEEN SENATORS JOIN DOMINICK BILL SETTING STIFF PENALTIES FOR GUN USE IN CRIME

Mr. DOMINICK. Mr. President, support is growing across the country and in Congress for the imposition of heavy penalties on those who use a gun to commit a crime.

I believe the RECORD should show that this support extends into the U.S. Senate.

Not quite 3 weeks ago I introduced S. 3681. My remarks and a copy of the bill are printed in the CONGRESSIONAL RECORD of June 25, 1968, at page 18507.

We have a new law in Washington, D.C., on this subject, one which Congress approved just 6 months ago.

My bill utilizes the same formula and makes it applicable on a national basis in a sensible fashion.

Basically, it provides that any person who uses any type of firearm in a Federal crime of violence shall—

First. In addition to the punishment provided for the crime, be punished by imprisonment for an indeterminate number of years up to life, as determined by the court; and

Second. If convicted more than once, be precluded from receiving a suspended or probationary sentence.

Every criminal must be made to understand that if he uses a firearm to commit a crime in America, he runs the risk of imprisonment for life.

By acting now on Federal crimes, Congress can show the way for State legislatures to do the same for State crimes.

Mr. President, to date 13 Senators have asked to be added as cosponsors of S. 3681. I am confident there will be more.

I ask unanimous consent that at the next printing of S. 3681 the following be added as cosponsors: Mr. BIBLE, Mr. HRUSKA, Mr. MAGNUSON, Mr. MURPHY, Mr. MCGOVERN, Mr. ALLOTT, Mr. MUNDT, Mr. CANNON, Mr. FANNIN, Mr. CURTIS, Mr. JORDAN of Idaho, Mr. TOWER, and Mr. HANSEN.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from Maryland [Mr. TYDINGS] I ask unanimous consent that, at its next printing, the names of the Senator from New Jersey [Mr. CASE] and the Senator from Rhode Island [Mr. PASTORE] be added as cosponsors of the bill (S. 3634), the National Gun Crime Prevention Act of 1968.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SENATE RESOLUTION 324—RESOLUTION AUTHORIZING THE PRINTING AS A SENATE DOCUMENT OF A HISTORY RELATING TO THE SENATE COMMITTEE ON AERONAUTICAL AND SPACE SCIENCES

Mr. ANDERSON submitted the following resolution (S. Res. 324); which was referred to the Committee on Rules and Administration:

S. Res. 324

Resolved, That there be printed with illustrations as a Senate document a compilation of materials relating to the history of the Senate Committee on Aeronautical and Space Sciences in connection with its tenth anniversary (1958-1968); and that there be printed for the use of that committee five thousand additional copies of such document.

SENATE RESOLUTIONS 325 THROUGH 373—RESOLUTIONS RELATING TO REFERENCE OF SENATE BILLS TO THE COURT OF CLAIMS

Mr. MURPHY (for himself and Mr. KUCHEL) submitted the following resolutions, which, by unanimous consent, were referred to the Committee on Interior and Insular Affairs; and, under the rule, were ordered to be printed in the RECORD:

S. RES. 325

Whereas there is pending in the Senate of the United States a bill designated as S. 3786 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California unto William M. Apperson and

Mary L. Apperson, husband and wife, and to Donald W. Weston and Claire Mae Weston, husband and wife: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. RES. 326

Whereas there is pending in the Senate of the United States a bill designated as S. 3787 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California unto William C. Sanderson: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar or any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. RES. 327

Whereas there is pending in the Senate of the United States a bill designated as S. 3788 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California unto William Craven and Marjorie Craven, husband and wife: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. RES. 328

Whereas there is pending in the Senate of the United States a bill designated as S. 3789 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Larry K. Squires: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, in-

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commis-

sioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. RES. 359

Whereas there is pending in the Senate of the United States a bill designated as S. 3820 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto John D. and Katherine C. Zilko, husband and wife: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. RES. 360

Whereas there is pending in the Senate of the United States a bill designated as S. 3821 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Paul L. Hoak: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. RES. 361

Whereas the United States has taken 11.8 acres of land which, by normal indices of record title, appeared to have been owned by R. A. Beaver and J. F. Beaver but for which no compensation was paid because of the conclusion of the United States District Court for the Southern District of California that such land was an accretion to other federal lands resulting from the movements of the Colorado River completed sometime between 1930 and 1938,

Whereas the opinion of said District Court invited redress through Congress to give effect to equities recognized by said Court but beyond its power to compensate, and Senate bill 3822 has been introduced to provide such redress, be it

Resolved, That Senate bill 3822, entitled "A bill to authorize the payment of private claims to R. A. Beaver and J. F. Beaver", is hereby referred to the Chief Commissioner of

the Court of Claims pursuant to Sections 1492 and 2509 of Title 28, United States Code, and the Trial Examiner and Review Panel shall be appointed and proceed expeditiously in accordance with the provisions of said sections, reporting to the Senate at the earliest practicable date with such findings of fact and conclusions thereon as shall be sufficient to inform Congress of the nature and character of the claim as a legal or equitable claim against the United States, and the amount, if any, legally or equitably due from the United States to the claimant.

S. RES. 362

Whereas there is pending in the Senate of the United States a bill, designated as S. 3823, to waive and relinquish any claim of title which the United States of America may have in and to certain lands situated in the County of Imperial, State of California, as to which the Senate desires the investigation, findings and conclusions hereinafter referred to: It is hereby

Resolved, That said bill be referred to the Chief Commissioner of the United States Court of Claims as authorized by section 1492 of title 28 of the United States Code for a report in conformity with section 2509 of title 28 of the United States Code with findings of fact and conclusions sufficient to inform Congress whether the waiver and relinquishment of any claim of title by the United States is appropriate in light of any legal or equitable claim to the real property described therein, or any part thereof, by private claimants, including findings as to the age of any accretion claim which the United States might have in and to any part of the subject lands and whether or not there would presently exist any legal or equitable defenses to the assertion of any such accretion claim had it accrued to and were now asserted by a private party rather than to the sovereign; such report shall not take account of, or be in any way affected by, the fact of any pending litigation in any forum or tribunal or any pending administrative proceedings.

S. RES. 363

Whereas there is pending in the Senate of the United States a bill, designated as S. 3824, to waive and relinquish any claim of title which the United States of America may have in and to certain lands situated in the County of Imperial, State of California, as to which the Senate desires the investigation, findings and conclusions hereinafter referred to: It is hereby

Resolved, That said bill be referred to the Chief Commissioner of the United States Court of Claims as authorized by section 1492 of title 28 of the United States Code for a report in conformity with section 2509 of title 28 of the United States Code with findings of fact and conclusions sufficient to inform Congress whether the waiver and relinquishment of any claim of title by the United States is appropriate in light of any legal or equitable claim to the real property described therein, or any part thereof, by private claimants, including findings as to the age of any accretion claim which the United States might have in and to any part of the subject lands and whether or not there would presently exist any legal or equitable defenses to the assertion of any such accretion claim had it accrued to and were now asserted by a private party rather than to the sovereign; such report shall not take account of, or be in any way affected by, the fact of any pending litigation in any forum or tribunal or any pending administrative proceedings.

S. RES. 364

Whereas there is pending in the Senate of the United States a bill, designated as S. 3825, to waive and relinquish any claim of title which the United States of America may have

in and to certain lands situated in the County of Riverside, State of California, as to which the Senate desires the investigation, findings and conclusions hereinafter referred to: It is hereby

Resolved, That said bill be referred to the Chief Commissioner of the United States Court of Claims as authorized by section 1492 of title 28 of the United States Code for a report in conformity with section 2509 of title 28 of the United States Code with findings of fact and conclusions sufficient to inform Congress whether the waiver and relinquishment of any claim of title by the United States is appropriate in light of any legal or equitable claim to the real property described therein, or any part thereof, by private claimants, including findings as to the age of any accretion claim which the United States might have in and to any part of the subject lands and whether or not there would presently exist any legal or equitable defenses to the assertion of any such accretion claim had it accrued to and were now asserted by a private party rather than to the sovereign; such report shall not take account of, or be in any way affected by, the fact of any pending litigation in any forum or tribunal or any pending administrative proceedings.

S. RES. 365

Whereas there is pending in the Senate of the United States a bill, designated as S. 3826, to waive and relinquish any claim of title which the United States of America may have in and to certain lands situated in the County of Yuma, State of Arizona, as to which the Senate desires the investigation, findings and conclusions hereinafter referred to: It is hereby

Resolved, That said bill be referred to the Chief Commissioner of the United States Court of Claims as authorized by section 1492 of title 28 of the United States Code for a report in conformity with section 2509 of title 28 of the United States Code with findings of fact and conclusions sufficient to inform Congress whether the waiver and relinquishment of any claim of title by the United States is appropriate in light of any legal or equitable claim to the real property described therein, or any part thereof, by private claimants, including findings as to the age of any accretion claim which the United States might have in and to any part of the subject lands and whether or not there would presently exist any legal or equitable defenses to the assertion of any such accretion claim had it accrued to and were now asserted by a private party rather than to the sovereign; such report shall not take account of, or be in any way affected by, the fact of any pending litigation in any forum or tribunal or any pending administrative proceedings.

S. RES. 366

Whereas there is pending in the Senate of the United States a bill designated as S. 3827 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Earl A. Reynolds, Jr.: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and

the amount, if any, legally or equitably due from the United States to the claimant.

S. RES. 367

Whereas there is pending in the Senate of the United States a bill, designated as S. 3828, to waive and relinquish any claim of title which the United States of America may have in and to certain lands situated in the County of Yuma, State of Arizona, as to which the Senate desires the investigation, findings and conclusions hereinafter referred to: It is hereby

Resolved, That said bill be referred to the Chief Commissioner of the United States Court of Claims as authorized by section 1492 of title 28 of the United States Code for a report in conformity with section 2509 of title 28 of the United States Code with findings of fact and conclusions sufficient to inform Congress whether the waiver and relinquishment of any claim of title by the United States is appropriate in light of any legal or equitable claim to the real property described therein, or any part thereof, by private claimants, including findings as to the age of any accretion claim which the United States might have in and to any part of the subject lands and whether or not there would presently exist any legal or equitable defenses to the assertion of any such accretion claim had it accrued to and were now asserted by a private party rather than to the sovereign; such report shall not take account of, or be in any way affected by, the fact of any pending litigation in any forum or tribunal or any pending administrative proceedings.

S. RES. 368

Whereas there is pending in the Senate of the United States a bill designated as S. 3829 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Alfred Moury: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. RES. 369

Whereas, there is pending in the Senate of the United States a bill designated as S. 3830 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Walter B. Plummer and Doris C. Plummer, husband and wife: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any,

legally or equitably due from the United States to the claimant.

S. RES. 370

Whereas there is pending in the Senate of the United States a bill designated as S. 3831 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Alfred Mourey: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. RES. 371

Whereas, there is pending in the Senate of the United States a bill designated as S. 3832 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Arthur W. Sedgemore and Geraldine L. Sedgemore, husband and wife: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. RES. 372

Whereas there is pending in the Senate of the United States a bill designated as S. 3833 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California, unto Carroll A. Cook and Emily M. Cook, husband and wife: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. RES. 373

Whereas there is pending in the Senate of the United States a bill designated as S. 3834 to authorize and direct the Secretary

of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California, unto Marie Collings: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

SENATE RESOLUTION 374—THE CAPTIVE NATIONS WILL BE FREE

Mr. DODD. Mr. President, I submit, for appropriate reference, a resolution reaffirming the support of the Senate for the goals of Captive Nations Week and reassuring the people of the captive nations of our continuing support in their struggle for the restoration of their national freedom and of their basic human rights.

In introducing this resolution, I am honored to have associated with me as cosponsors the Senator from Nebraska [Mr. CURTIS], the Senator from Colorado [Mr. DOMINICK], the Senator from Arizona [Mr. FANNIN], the Senator from Wyoming [Mr. HANSEN], the Senator from Nebraska [Mr. HRUSKA], the Senator from Ohio [Mr. LAUSCHE], the Senator from Iowa [Mr. MILLER], the Senator from Illinois [Mr. PERCY], the Senator from Pennsylvania [Mr. SCOTT], the Senator from South Carolina [Mr. THURMOND], the Senator from New York [Mr. JAVITS], and the Senator from Connecticut [Mr. RIBICOFF].

In 1959, both Houses of Congress, by unanimous vote, approved a resolution that has since become known as the Captive Nations Week Resolution. The resolution urged the President to set aside the third week of July each year as Captive Nations Week, and to invite the American people during this annual observance to manifest their solidarity with the captive nations of Europe in various appropriate ways.

This week marks the tenth observance of Captive Nations Week. And since the tenth observance is an appropriate occasion for a reaffirmation of our commitment, I have been moved to introduce the resolution which I have just sent to the Chair.

There are some who may be discouraged by the fact that 10 years have passed and the captive nations still remain captive. Having given up all hope for the liberation of the captive nations, they may ask what point there is to the continuing observance of Captive Nations Week.

The wheels of history sometimes grind slowly. In history's longer measure, a decade is a short time. But even for those who are impatient with history, the events of the past decade in the captive nations offer every reason for hope and little reason for pessimism.

Moscow may have thought that after the terrible bloodletting in the Ukraine and after the brutal repression of the east German uprising of 1954 and of the Polish revolt and the great Hungarian revolution of 1956, the spirit of resistance in the captive nations was broken for a century to come. But if Moscow ever entertained any such illusions, they have certainly been shattered by the events of the past year.

Moscow's captive nation empire is today a seething cauldron of nationalist ferment and intellectual dissent.

The winds of discontent blow all the way from the Urals to the borders of Western Germany.

In Poland in the first part of this year, there was a nationwide revolt of the students and intellectuals characterized by student demonstrations, protest sit-ins, numerous clashes with the police, mass petitions, and open defiance of the regime.

The revolt, which began in February and continued through the end of March was brought under control during April and May by stern repressive measures. But the Polish people, who have never in their long history compromised with tyranny, have not, of this I am certain, abandoned the battle for freedom.

All the indications are, in fact, that the Polish Communist regime, which is now under complete control of the most Stalinist elements in the Communist Party, is completely isolated from the Polish people. Its brutal repressive measures against the Catholic Church and against the Jewish minority and against students and intellectuals and workers have created a gulf between the regime and the people which cannot be bridged by propaganda and police measures.

The Polish people will rise again and, if necessary, still again. And they will keep on rising, as they did in their long battle against czarist rule, until the day of final liberation comes and they can again breathe the precious air of freedom.

Czechoslovakia, which only last year appeared to be under the firm control of Stalinist communism, has now broken with the past, repudiated the previous Stalinist leadership, and granted a degree of personal freedom which is truly remarkable for a Communist country.

It remains to be seen whether so much personal freedom can coexist with the Communist economic system. It may very well be that in the long run one or the other will have to give. But for the moment the important thing is that Czechoslovakia has moved dramatically in the direction of more freedom for its citizens and greater independence from Moscow control.

Perhaps most remarkable of all is the massive resurgence of Ukrainian nationalism over the past several years.

For five decades the Ukrainian people have been bled white by the Soviet terror. There was the massive manmade famine of the 30's in which 5 million Ukrainians perished. Purge succeeded purge. Entire generations of Ukrainian intellectual leaders were virtually decimated by the terror.

But now all the reports indicate that a new generation of Ukrainians and Ukrainian intellectuals have taken up the

struggle for freedom, their wills unbroken by 50 years of terror and massacres.

Rumania, too, has been restively tugging at the reins of Moscow control. The Hungarian people, and even the Hungarian Government, have openly manifested their sympathy with recent developments in Czechoslovakia. And in the Baltic, Lithuania, Latvia, and Estonia, which were occupied by fraud and force in the wake of the Hitler-Stalin pact, rumblings of a new wave of nationalist and intellectual dissent are again being heard.

Captive Nations Week makes sense, because anyone with a sense of history should know that no alien despotism can indefinitely maintain its rule over peoples who refuse to give up the battle for freedom. In the long run, freedom always prevails.

Captive Nations Week is morally right because the least we can do is to assure the peoples of the captive nations of our continuing support and solidarity.

And at a time when there is widespread discussion of the possibility of Soviet military intervention in Czechoslovakia, the reaffirmation of our commitment to the freedom of the captive nations becomes all the more vital.

That is why I have introduced my resolution.

Mr. President, I ask unanimous consent to insert at this point in the RECORD the complete text of my resolution.

I also seek unanimous consent to insert into the RECORD at this point a number of magazine and newspaper articles dealing with the fight for freedom in the captive nations.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the resolution and the articles will be printed in the RECORD.

The resolution (S. Res. 374) was referred to the Committee on Foreign Relations, as follows:

S. RES. 374

Whereas recent events in Czechoslovakia and Poland and other countries in Central Europe, and the growing evidence of intellectual dissent and nationalist ferment in the Soviet Union itself, call for a reaffirmation of American support for the right of men and nations to be free;

Whereas the President of the United States, acting on the basis of a resolution enacted by the unanimous vote of the United States Congress, has, each year since 1959, designated the third week of July as Captive Nations Week, and invited appropriate observance by the American people; and

Whereas the year 1968 has, in addition, been designated Human Rights Year by the United Nations; Now therefore be it

Resolved, That it is the sense of the Senate that our observance of Captive Nations Week this year should be reinforced by our assurance to all the peoples of the captive nations that the American Congress and the American people are not indifferent to their plight, but that, on the contrary, we watch their struggle for the restoration of their national freedom and of their basic human rights with the greatest sympathy and admiration; and that it is our fervent hope that these peoples, who have suffered so cruelly in the postwar years, will in the years to come be permitted to determine their own future without the threat of external intervention.

The articles presented by Mr. Dodd are as follows:

POLAND

[From the Reporter, June 1, 1967]

THE INTELLECTUAL REVOLT IN POLAND

(By Tibor Szamuely)

On January 8, Peter Raina, a young Indian leftist scholar, was expelled from Poland, where he had lived and worked for more than four years. It was a harrowing experience: Raina was held at the East German border for almost twelve hours while Polish guards methodically went through his belongings, reading every scrap of paper. Finally they let him go after confiscating a three-hundred-page manuscript of a biography of Communist Party Secretary Wladyslaw Gomulka on which he had been working, with official encouragement and help, for about two years.

Raina had come to Poland full of sympathy for the Gomulka régime. He learned to love the country, its language and culture. Warsaw University gave him a doctorate. Wanting to see only the best, for a long time he resolutely dismissed all western criticisms as propaganda. He wrote letters to the foreign press attacking western correspondents for their lack of understanding of Poland and accusing them, among other things, of slandering the Ministry of Interior Affairs. Thus it came as a shock to be called an enemy of the state by that very ministry and to be ordered by it to leave the country within forty-eight hours.

When he finally reached West Germany, Dr. Raina unburdened his disillusionment to the press, broadcast to Poland on Radio Free Europe, and made public a scathing letter he had written to the Polish Minister of Interior Affairs. His story is informative, for it sheds light on some little-known aspects of what is probably the most important process at present taking place in Poland: the new ferment among the intellectuals.

LAMENT FOR OCTOBER

Since about 1960, Warsaw University, and particularly its departments of the humanities and social sciences, has become the center of disaffection spreading among the younger generation of intellectuals. In November, 1964, the security police arrested a group of the university's young lecturers and students. One of the lecturers was Karol Modzelewski, a stepson of the late Polish Communist Foreign Minister and a leader of the pro-Gomulka student movement of 1956. They were all accused of having circulated a paper criticizing the Communist system in Poland. Although soon released, five of them were expelled from the party.

Administrative sanctions, usually an effective warning, didn't work this time. Modzelewski and a friend, Jacek Kuron, composed an open letter to the party. When they distributed it in March, 1965, they were immediately rearrested. No one was surprised, for the document was a devastating indictment—couched in impeccable Marxist terms—of Poland under Gomulka: "To whom does power belong in our state?" the authors asked. "To one monopolistic part—the Polish United Workers' Party. . . . The decisions of the elite are independent, free of any control on the part of the working class and of the remaining classes and social strata."

The Poland which Modzelewski and Kuron described and analyzed with a wealth of statistical and other evidence is, in fact, the familiar Stalinist system—which Communist leaders and wishful thinkers in the West insist was swept away in the cleansing aftermath of the 1956 Twentieth Congress of the Soviet Communist Party. But it was the authors' conclusion that was intolerable to the authorities: "In view of the impossibility of overcoming the economic and social crisis within the framework of the bureaucratic system, revolution is inevitable." Modzelewski and Kuron were tried in July, 1965, behind closed doors, with the courthouse sur-

rounded by a tense crowd of students. They were sentenced to three and a half and three years respectively.

This, however, was far from the end of the affair. Modzelewski and Kuron had been voluntarily defended in court by some of the most esteemed figures of Polish intellectual life: Antoni Slonimski, the dean of Polish writers, and Professors Tadeusz Kotarbinski, Leopold Infeld, and Leszek Kolakowski. It was Kolakowski who occupied the center of the stage. His reputation and popularity as a champion of intellectual and political freedom—and as Poland's leading Marxist philosopher—was established in the "Polish October" of 1956. He was one who rallied the intellectuals and students behind Gomulka and the ideal of rebuilding Polish Communism on an ethical, libertarian, and humanistic foundation.

Today his fiery declarations of ten years ago may well seem naive—not least to Kolakowski himself—but at the time they conveyed hope. In his ideological credo, published in 1957, Kolakowski argued that the true Communist's place was on the side of the oppressed and the persecuted: "No one is exempt from the moral duty to fight against a system or rule, a doctrine or social conditions which he considers to be vile and inhuman, by resorting to the argument that he considers them historically necessary." Through the sad years of Gomulka's gradual repudiation of all that he seemed to represent in 1956, Professor Kolakowski had retreated into semi-passivity. The case of Modzelewski and Kuron forced him again to face up to the dilemma of the idealistic Communist in a repressive Communist state.

It is at this point that young Peter Raina enters the story. Dr. Raina was a devoted admirer of Kolakowski, and he unhesitatingly joined his professor in protesting the sentences given the two teachers.

Last year, the party leadership decided to stamp out student unrest and began a series of repressive measures directed against Warsaw University; a number of students were expelled, new disciplinary rules were introduced, party control was tightened. The restrictions brought a wave of even more vociferous indignation. Protest meetings were held, delegations dispatched, signatures collected. There were noisy scenes at the 1966 May Day demonstration.

In the meantime, ever-increasing pressure was being applied to Leszek Kolakowski. In March, 1966, he was summoned before the party Control Commission and called upon to submit a declaration retracting his views. Despite a grueling interrogation, he remained obdurate. The climax came on October 21, the tenth anniversary of the uprising that had swept Gomulka to power. A commemorative meeting was held in the history department of the university, at which Kolakowski spoke for about half an hour. His message, as reported in a Polish paper in London, was on the order of an obituary of freedom in his country:

"Genuine democracy is lacking here. There is very little public choice of the leaders. Thus, the leadership, which is not really elected, becomes conceited, self-assured. There is no opposition; hence there is no confrontation between those who are in power and those who are without. . . .

"The government does not feel responsible to the nation. The system of privilege is prevalent. These privileges exist for a few outside the law. . . . Public criticism is lacking. Free assembly is nonexistent. Censorship is extremely severe. . . .

"All this has weakened society, for there is no perspective, no hope. The state, the party, the society are the victims of stagnation. There is therefore nothing to celebrate."

Speaker after speaker rose to reiterate the main points of this comprehensive indictment. Among them was Peter Raina. Two resolutions were moved: one demanding the

introduction of freedom of speech and the abolition of censorship and political repression, the other calling for the immediate release of Modzelewski and Kuron. Although the motions were not allowed to be put to a vote, the thunderous acclaim with which they were received spoke for itself.

UNITY IN PROTEST

Next day Professor Kolakowski was summarily expelled from the party. In the following few days his assistant was also expelled, six students were suspended, and seven others were sent before the university's disciplinary commission. A systematic campaign of calumny was mounted with the object of discrediting Kolakowski, who was accused of being "a tool in the hands of the imperialists."

On November 15, the university organization of the Communist Party held a general meeting; it was addressed by Zenon Kliszko—the secretary of the Central Committee, the chief party theoretician, and Gomulka's second-in-command—and by Stanislaw Kociolek, first secretary of the Warsaw committee of the party. Kliszko trotted out all the clichés about the perils of revisionism; Kociolek went straight to the point: "I am against discussions, dialogues, and seminars. The unity of the party is supreme. Discipline is the cardinal principle of the life of the party." Instead of giving the expected dutiful assent, the assembled university Communists launched an attack on the party's leadership. Kliszko, driven into a corner, protested: "I didn't come to this meeting to present any explanations. I came to listen to them." Similar stormy scenes were repeated at party meetings held in other leading cultural institutions. The intelligentsia clearly was getting out of hand.

The conflict spread fast. On November 25, fifteen writers, all active members of the party and regular contributors to official periodicals, sent a letter to the Central Committee expressing their solidarity with Professor Kolakowski and demanding his reinstatement. The response of the party bureaucracy remained doctrinaire—and ineffectual. The writers were summoned to the Central Committee, where, one by one, they refused to withdraw their protest. Six of them, including prewar Communists, driven at length into rebellion against the beliefs of a lifetime, resigned from the party. Seven others were suspended. Nor was the party leadership any more successful in its dealing with the Writers' Union as a whole. At a special meeting of the party organization of the union's Warsaw sections (numbering about a hundred members) that was convened to condemn the actions of Kolakowski and his supporters, only one speaker supported the official line.

It would be wrong to assume that all those who joined this broad front of intellectual dissent necessarily subscribe to Modzelewski's or Kolakowski's views. The principle that unites them is opposition to the stifling system of Communist conformity, to the totalitarian controls over thought and speech and writing, to the subjugation of the intellect and the prostitution of culture. Yet, as the history of Communism—whether in Poland, the Soviet Union, or any other "socialist" state—has shown, the party cannot afford to compromise this control. The result it has achieved in Poland has been the successive alienation of the intellectual community, and with every new purge the area of revolt grows wider.

Peter Raina's letter to the Minister of Interior Affairs summed up the sense of betrayal.

"A few days ago," he wrote, "when I went to the militia headquarters in order to have my visa extended, I was greatly surprised by the decision of the militia not to extend my stay in Poland. I was aghast at the motivation of this decision, namely that I have a hostile attitude toward Poland. . . .

"For the first time in my life I came against a case when the control of university life was exercised by secret agents of the Ministry of Interior Affairs. . . .

"I never had any treacherous intentions towards Poland. I always defended Polish interest. I published abroad letters which criticized foreign correspondents for their lack of understanding of Poland. I endeavored within the limits of my possibilities to spread Polish culture through numerous translations of Polish literature. I feel, therefore, greatly injured by the mendacious accusations formulated against me by the Ministry of Interior Affairs. I am writing to you that thanks to the activity of agents of the Ministry of Interior Affairs at the university, everybody is governed by fear and one cannot behave normally and calmly at seminars and meetings. I am ashamed for the university and its leadership that things have come to such a pass that low and dirty methods are applied to students, methods that recall the times of fascism and its terror. Methods applied to me during the last few days at the militia headquarters (to wit, the denial of any possibility of explaining things) recall to my mind the methods of Stalinism."

"... the events of the last days convinced me that all the ministries, the university, the whole cultural life, the political parties, the parliament, were subject to orders of the Ministry of Interior Affairs from which there was no appeal and that nobody had the courage to dare even to make a rightful protest against unjust treatment."

A fair description of a country which was only recently being advertised as a show-place of "liberal" Communism—and a melancholy epitaph to the illusions of an idealist who learned about Communism the hard way.

[From the New York Times, Feb. 18, 1968]

WRITERS DISPUTE PARTY IN POLAND—SHOW-DOWN APPEARS AT HAND OVER RULE OF REGIME

WARSAW, February 17.—Recent interference by the Communist party in Polish cultural life appears to be provoking a showdown between the normally complacent intellectual community and an increasingly nervous party leadership.

Indicative of the intellectuals' new mood of militance was a decision this week by the Warsaw section of the Polish Writers Union to hold, before the end of this month, the first extraordinary meeting in its 48-year history.

More than 230 Communist and non-Communist writers overcame their political differences to sign a petition requesting the meeting to protest the party's decision that ended performances of a classic anti-Russian play by the 19th-century romantic poet Adam Mickiewicz.

Major importance is attached to the meeting because, if past performance is any guide, it should provide a rare semipublic forum for airing the intellectual community's accumulated complaints.

AUDIENCE PROTESTED

Both before and after "Dziady" ("The Forefathers") was closed amid angry audience protests on Jan. 30, the party showed its nervousness in dealing with the intellectuals.

Last week, party censors abruptly canceled performances of a prewar avant-garde play, "Gyubal Wahazar," the day before it was scheduled to open at the Narodowy Theater, where "Dziady" had also been performed.

The play, by the late Stanislas Ignacy Witkiewicz, was described in an official theater publication as a "protest against all tyrannies." It ends with the secret police chief assassinating the dictator.

Censors are reported to be insisting that the name of the Narodowy production now in rehearsal be changed before it can open.

The original title of the play, a nonpolitical turn-of-the-century comedy, is "Ciezkie Czasy," or "Oppressive Times."

TRIAL IS CLOSED

Observers also credit party nervousness with the current trial of the literary critic Janusz Szpotanski, who is accused of harming state interests by writing and privately performing a satiric operetta, *Cisi i Gegagze*, ("The Silent and the Honkers").

Some Communist sources are worried that the writers union will stray from complaints about censorship to political polemics, which could further estrange the party and the intellectual community.

A number of leading Polish intellectuals, many of them Jews, have resigned from the Communist party since the Middle Eastern conflict last June amid charges that the leadership used the war as a pretext to shut off discussion.

Other signs of intellectual unrest are reflected in reports that actors and Warsaw University students have signed petitions condemning the closing of "Dziady." But both Communist and non-Communist writers are chary about predicting that the Writers Union meeting will produce any significant liberalization of party attitudes.

[From the Washington Sun, Feb. 20, 1968]
WRITER JAILED AS POLAND STEPS UP STALINIST PURGE

OPERA SPOOF

WARSAW, February 19.—A 34-year-old literary critic was sentenced today to three years in prison for writing a comic opera spoofing leading Polish personalities ranging from politicians to cardinals.

Janusz Szpotanski was found guilty of "preparing and disseminating false or derogatory writings or other materials deemed detrimental to the interests of the state."

The verdict and sentencing were read in open court, but the motivation for the decision was given after the courtroom had been cleared of spectators.

Secret Sessions

The trial began February 5 and was open to the public. In the six sessions that followed until the conclusion today, the trial was held behind closed doors.

Szpotanski's opera tapes had been making the rounds of private parties for a few years.

POLICE STATE

(By Stuart S. Smith)

BONN, February 19.—Poland has fallen back into the status of a reactionary police state, Western observers said today.

The once liberal Gomulka regime has in recent months made use of threats, arrests and political trials to harass both the party rank and file and the population at large, they say.

The principal instigator of this repression is said to be Mieczyslaw Moczar, the Polish Interior Minister and head of the secret police. Moczar is, at the same time, leader of a Stalinist party faction called the Partisans, which for years has been trying to undermine the position of the liberals who helped bring Wladislaw Gomulka, the Polish Communist party secretary, to power in 1956.

The fact that anti-Partisan elements have been the chief losers in the recent reshuffles and have been replaced by men close to Moczar indicates the Interior Minister is getting the upper hand.

For sometime now the Polish press, radio and television have been conducting a propaganda campaign, warning the population against contacts with the "imperialist" West. Regular denunciations of not only the United States but also West Germany are standard fare.

This contrasts with the attitudes of Yugoslavia, Romania and Bulgaria, which now

have good relations with West Germany. Also Hungary and Czechoslovakia are taking slow but positive steps toward improving communications with the Federal Republic and other Western Nations.

Anti-Semitism

The Polish propaganda, which contains a considerable amount of anti-Semitism, is being supported by a series of spy trials, which have been given wide publicity in an obvious effort to scare the citizenry.

Western journalists encounter great difficulty in entering Poland, although they may travel freely throughout Hungary, Czechoslovakia, and Romania and do not even need visas to enter Yugoslavia and Bulgaria.

Polish censors, who once tolerated much Government criticism, are now among the harshest in Communist Europe.

Numerous theater pieces have been canceled and books and magazine pieces banned in the past few months. Only the most obedient writers have been able to obtain good commissions.

Mideast war

Moczar's purges have been directed against all liberal groups, but last summer's Arab-Israel confrontation provided him with an excellent weapon to use against Communist party Jews, most of whom opposed Moczar's Partisan movement.

Although Jews have for many decades played an important role in Polish party affairs, today there are few if any left in responsible positions.

The Polish leadership's ever closer relationship to Soviet policy runs against the trend among other European Communist nations, with the exception of East Germany, which are seeking as independent a political status as their economic dependency upon Russia will allow.

Why the Polish leadership feels so insecure that it must turn back the clock and reapply terrorist methods is difficult to say, but new acts of oppression or even the continuation of the present conditions can only further embarrass the country's more liberal Communist allies in Southeast Europe.

TWO JAILED IN POLAND

WARSAW, February 19.—A West German was sentenced to 6½ years in prison and a Pole to 9 years in Szczecin, northwest Poland, today for alleged hostile political activity on orders from two West German religious organizations.

Eugan Schrabatke, a West German, and Alfred Kipper, a Pole from Szczecin, carried out their activities in areas Poland took from Germany after the World War II, the provincial court said.

In its judgment, the court stressed the men's full consciousness of their activities against the Polish state and in the interest of the West German "revisionist" church organizations Kirchendianst Ost and Even-gelischer Hilfswerk, according to the Polish news agency Pap.

The court said the regret Schrabatke expressed during the trial mitigated his offense.

The indictment said that under the guise of helping German nationals still living in the former German areas the two organizations aimed at encouraging the belief that the present Polish-German frontier was not permanent.

The accused were alleged to have slandered Poland while pretending to help German nationalists of evangelical faith in northwest Poland.

They were charged with collecting and sending information to West Berlin and West Germany about life and people in the western Pomeranian region around Szczecin, including lists of persons supposed to be needing help.

They were also charged with illegal cur-

rency manipulations and other financial offenses.

[From the New York Times, Mar. 10, 1968]
POLISH STUDENTS IN SECOND DAY OF RIOTS:
TEAR GAS AND CLUBS ARE USED BY POLICE
TO COMBAT BRICKS—TWO ARRESTS REPORTED

(By Jonathan Randal)

WARSAW, March 9.—Polish students shouting "Long live Czechoslovakia!" fought steel-helmeted police here today for the second day.

The fighting began when students threw bricks and bottles. The police replied by lobbing tear gas shells. Some students were beaten with rubber truncheons.

The students' shouts apparently alluded to the promises for greater democracy that have been made by the new Czechoslovak leadership since Alexander Dubcek replaced Antonin Novotny as First Secretary, Jan. 5.

Spokesmen for the police and the Polish Government said they had "no information" on the number of students that have been arrested during the two days of rioting at Warsaw University and the Polytechnic school.

Informed sources said the police arrested Jacek Kuron and Karol Modzelewski last night. They are teaching assistants at Warsaw University, who in 1965 were imprisoned for having distributed pamphlets that criticized the lack of democracy for the Communist party here.

Unlike the rioting yesterday, which was limited to the Warsaw University campus, the clashes today spilled directly into the streets which were littered with bricks, broken glass, stones and newspapers.

POLICE ACTION PROTESTED

The rioting, which saw policemen and civilian auxiliaries hunt down students in apartment houses, doorways and on church steps, began today when Polytechnic students marched out of the school grounds after a protest meeting.

At the meeting the students condemned the violation of the university's traditional autonomy by policemen and civilian auxiliaries yesterday and demanded the release of students arrested earlier.

Tonight the state-controlled Warsaw television network broadcast a statement that denied persistent rumors that a girl student had died from injuries received in the clash with the police yesterday.

The rioting started when Warsaw University students met to demand the reinstatement of two students expelled after being arrested last Jan. 31 for demonstrating against the closing of a classic Polish play by Adam Mickiewicz, a 19th-century poet. The play, depicting Polish suffering, contains lines that could be interpreted as criticism of the Soviet Union today.

The students also expressed their solidarity with the Warsaw branch of the Writers' Union which last week condemned the closing of the play, "Dziady" ("The Forefathers") and called for a relaxation of censorship.

MARCH ON NEWSPAPER

Today, led by a student carrying a red and white Polish flag, some 3,000 students marched in the direction of the offices of *Zycie Warszawy*, a Government-controlled newspaper that had criticized them as "scum." Near Workers Unity Square, the students were met by policemen who demanded that they disperse.

Among the slogans the students shouted were "More democracy!" "Down with censorship!" "Gestapo!" "Down with the lying press!" and "Down with Moczar!" Gen. Mieczyslaw Moczar is the Interior Minister and chief of the secret police.

Later, some two miles away, police auxiliaries used truncheons to beat students who were standing on the steps of the Church of the Holy Cross, across the street from the

main university entrance. Other students sought sanctuary inside the church, where composer Frederic Chopin's heart is buried.

The police and auxiliaries were brought in by the truckload. Traffic patrolmen cordoned off streets for several hours to contain the rioting near the Polytechnic School.

The student rioting was the most serious clash with authority since October 1957, when the Polytechnic School and university students fought police for three days to protest against the closing of an outspoken student magazine, *Po Prostu*.

[From the New York Times, Mar. 12, 1968]

THOUSANDS IN POLAND FIGHT POLICE AS PROTEST MOUNTS

(By Jonathan Randal)

WARSAW, March 11.—Tens of thousands of Poles clashed with policemen in front of Communist party headquarters and at the statue of the national poet, Adam Mickiewicz, today.

For the first time adults joined university students and teen-agers in the wave of protests against stringent Communist party control of cultural affairs. The participation of adults altered the character of the demonstrations, which began last Friday.

The disturbances sought to protest, among other things, the closing of Mickiewicz's classic anti-tsarist play, *"Dziady"* (The Forefathers').

[Demonstrators sacked a building of the Culture Ministry in the central section of the capital and fought policemen with debris and broken furniture, Reuters reported. Militiamen battling demonstrators outside Warsaw University were met with chants of "Gestapo! Gestapo!" as they waded forward with flailing clubs.]

For almost eight hours, policemen, worker militiamen and civilian police auxiliaries fought with the demonstrators in the third day of violence unequalled since 1957. Then serious rioting followed the closing of the liberal student magazine *Po Prostu*.

Stefan Cardinal Wyszyński, Roman Catholic Primate of Poland, canceled a scheduled sermon "to avoid worsening the situation." The cancellation was announced to an overflow crowd in St. Ann's Cathedral, which reeked of tear-gas grenades tossed by the police.

Workers and militiamen used rubber truncheons to beat churchgoers on the cathedral's steps, which, like many Warsaw streets, were littered with tear-gas canisters, broken glass, bricks and paving stones.

Meanwhile, *Slowo Powszechnie*, newspaper of Pax, the pro-Communist Roman Catholic lay movement, suggested that the demonstrations had been led by Zionists. It listed the names of some of the students arrested, almost all of whom are Jews.

P.A.P., the Polish press agency, reported that one sign carried at a Communist party meeting at the Zeran automobile factory read, "Clean the Zionists out of the party."

During most of the day and early evening, demonstrators seemingly ranged at will, shouting "Gestapo!" "Democracy!" "Constitution!" "Warsaw with us!" and "Mocznars valets!" at the police, Mieczyslaw Moczar is the Interior Minister and chief of the secret police.

The demonstrators threw paving stones and bricks at the helmeted policemen, who charged with truncheons and fired tear-gas grenades and, for the first time in the current outbreak, used a truck armed with a water gun to disperse them.

Time and time again demonstrators slipped through side streets and emerged red-eyed and weeping to taunt the police.

Most of the fighting took place along Nowy Swiat and its continuation, Krakowskie Przedmiescie, which for more than a mile forms one of Warsaw's main thoroughfares.

Shortly before 4 P.M., when most Warsaw offices and factories had closed for the day, tens of thousands of people suddenly gathered in Nowy Swiat. Virtually unopposed by small detachments of policemen and large numbers of worker's militiamen, they surged along the street.

On their way they burned copies of the principal newspapers, which had continued their denunciations of the student demonstrators, characterizing them as hooligans and "Well-to-do youths with political ambitions."

Only when the crowd neared the gray, forbidding building that, since its erection during the Stalin era, has housed the United Workers party's Central Committee did the police make serious attempts to stop it.

There the fighting, which lasted for more than two hours, was watched by a dozen men and women standing on the party's sixth-floor terrace.

[From New York Times, Mar. 12, 1968]

PRAGUE PARTY CHIEF DENIES HE IS AGAINST FREEDOM OF THE PRESS

(By Harry Schwartz)

PRAGUE, March 11.—The head of the Communist party in Prague, Martin Vaculik, expressed his regrets that antiliberal statements by his organization had been "imprecise" and "misunderstood."

He asserted on television that he was a progressive but acknowledged that in the party power struggle early this year he supported President Antonin Novotny.

A few hours earlier, the ministry of Interior apologized to students in Prague for the police violence employed against them last Oct. 31, during a demonstration against living conditions in dormitories.

Placing full responsibility on the police for the incident and promising that seven policemen would be punished, the Ministry insisted that neither the Communist party nor state officials bore any responsibility for the mistreatment of the students.

The Prague city Communist organization was criticized at weekend meetings of several of Prague's borough organizations. The attacks were aimed at the city leaders' statement last Friday warning against overhasty changes in Communist party policy and against alleged "one-sidedness" of the communications media, which were accused of having disseminated radical ideas and even of mocking fundamental Communist concepts.

At one meeting, the city leaders were accused of having tried to dictate the line to be taken by the local conferences, having waited until the local organizations expressed their own opinions before issuing a citywide statement.

At another borough, a resolution was adopted condemning the city organization's statement, while at a meeting of Communists of Prague universities, disagreement was voiced with the city groups' charge that the communications media were one-sided.

Tonight, Mr. Vaculik pleaded that the prevailing opinion that his leadership was conservative was mistaken, and that the widespread belief that his organization's statement was against freedom of the press was wrong. He argued that he was opposed to radical and extreme statements.

[From the New York Times, Mar. 26, 1968]

CRACOW STUDENTS STAGE A SIT-IN; CZECH PRIVATE DEFIES A GENERAL—GOMULKA SPEECH IGNORED

(By Jonathan Randal)

WARSAW, March 20.—Students in Cracow pointedly ignored today an appeal by the Communist leader, Wladyslaw Gomulka, for

an immediate return to classes. They staged a sit-in at Jagiellonian University.

In a further indication that the students were not satisfied with Mr. Gomulka's promise yesterday of eventual consideration of their grievances, 3,000 of them at the Warsaw Polytechnic School voted to begin a 48-hour sit-in tomorrow morning.

Warsaw University students will join the sit-in, according to a student delegate at the strike meeting held this afternoon at the Polytechnic School.

The Warsaw sit-in reflected warnings by the students that they would take other defiant measures unless the regime published their 15-point resolution and corrected "slanderous" press accounts of previous demonstrations by Tuesday midnight.

The Polytechnic meeting demanded that students be allowed to discuss their problems on the radio and television, controlled by the regime.

Symptomatic of the student's mood at the meeting was the tearing up of newspapers. The newspapers' main interest today was the text of Mr. Gomulka's speech to Warsaw party members.

Some student sources suggested that a factor in the students' renewed defiance was Mr. Gomulka's criticism of "revisionist" liberal professors at Warsaw University as the "spiritual instigators" of the student unrest. Many professors named are Jews.

Mr. Gomulka dropped similar charges against Zionists and former Stalinists, apparently in an effort to keep within bounds the anti-Zionist campaign that he obliquely conceded had anti-semitic overtones.

The Polish party has applied the name "Zionists" to instigators of the student demonstrations.

Although Mr. Gomulka stressed that no professors had lost tenure because of their "academic views," he indicated that changes might be under consideration. He said the regime "displayed considerable—and as experience has shown, unfortunately, too great—restraint and caution in interfering for political reasons with the life of academic circles."

In Cracow, the sit-in involved students sitting in corridors and not attending lectures, informed sources said. It followed a five-day classroom boycott during which some parents had been warned that their children would be expelled unless they returned to school, the informants added.

At the Polytechnic meeting, a message was read from workers at a rolling-stock factory in Wroclaw, the sources said. The message expressed solidarity with student demands.

In Wroclaw, newspapers disclosed that classroom boycotts or sit-ins took place at all eight institutions of higher learning there last Thursday and Friday. Only students of the School of Plastic Arts did not return to classes normally on Saturday, according to the newspapers, which added that "hooligans" had been responsible for violence there on Friday.

Meanwhile, the anti-Zionist campaign evaporated today in the wake of Mr. Gomulka's speech, which sought to moderate a 10-day campaign that apparently had the party's blessing.

In its place, there were pledges of support for "Comrade Wieslaw," as Mr. Gomulka is affectionately called, as well as confusion among many Poles who were surprised at the moderate tone of his remarks.

In some quarters the excited shouts that accompanied Mr. Gomulka's remarks on Polish Jews and the chanting of the name of Edward Gierk were interpreted as reflecting the popularity of the anti-Zionist campaign.

Mr. Gierk, the party secretary in industrial Silesia, had made a strongly anti-Zionist day and is sometimes mentioned as a possible successor to Mr. Gomulka.

[From the New York Times, Mar. 29, 1968]
WARSAW STUDENTS MEET AGAIN, DEFYING REGIME—DEMAND THE REINSTATEMENT OF HUMANITIES PROFESSORS AND LEGAL REFORMS

(By Jonathan Randal)

WARSAW, March 28.—Warsaw University students today defied new warnings from the Polish Government and met to demand the reinstatement of six dismissed humanities professors, according to informed sources.

The unauthorized meeting of 2,000 students constituted the first overt act of student defiance since three Warsaw sit-ins ended last Saturday.

Held despite serious warnings in two newspapers today, the meeting was apparently prompted by the dismissal of professors Monday.

Wladyslaw Gomulka, the party leader, had foreshadowed the dismissals in a speech 10 days ago in which he said the professors were the "spiritual instigators" of the now three-week-old student unrest against Communist cultural controls.

Fragmentary reports about today's meeting said the students also denounced censorship and demanded the release of students arrested or drafted into the armed service because of their participation in demonstrations.

LEGAL REFORM DEMANDED

Another student demand was said to have been reform of the legal code, especially the so-called Small Penal Code.

Originally adopted in 1946 to deal with armed anti-Communist guerrillas who then disputed the government's authority, the Small Penal Code has often been invoked to punish dissident intellectuals.

The meeting today took place despite a series of warnings from the regime. Two days ago a message from Rector Stanislaw Turski warned that any further student disobedience would entail expulsions and the closing of the university.

PARTY PAPER WARNS

Today, Trybuna Ludu, the party newspaper, said student troublemakers "must be told with all seriousness, determinately and decisively, stop, put an end to trouble mongering, provocations and misleading your colleagues."

"All of us have had enough of mass meetings," it warned. "There will be and there can be no tolerance of trouble-mongers and people of ill will," the statement said.

Zycie Warszawy, another newspaper, warned "only firmness remains when all means of discussion and discreet persuasion become exhausted."

Backing up the stern warnings, police and plainclothesmen patrolled Krakowskie Przedmiescie, a main street, which passes in front of the university in the center of Warsaw.

The university gates were closed at 4:15 P.M. after the rector was reported to have exercised his privilege and canceled late afternoon classes. The gates were reopened more than three hours later and hundreds were seen leaving the university grounds.

While the gates were closed, hundreds of students were seen milling around inside the university grounds and adjacent streets. Many wore white caps which have become the symbol of student defiance since the demonstrations began.

Meanwhile, observers noted a discrepancy in the party's handling of a principal student grievance—the use of security forces inside the university grounds despite traditional extraterritoriality enjoyed by Polish institutions of higher learning.

While Polish newspapers have printed articles stressing that no legislation or tradition exists on this score, Czeslaw Domagala, the party secretary in Cracow, said just the opposite.

Addressing a recent party rally, Mr. Domagala conceded that "an unfortunate inci-

dent occurred, namely the entry of a group of police and workers' militia, while chasing students into the grounds of Jagiellonian University."

He added: "Obviously, as a result of this unintentional incident by the police command—a violation of the traditional right of extraterritoriality of an institution of higher learning which no one approves of—an extraordinary outcry ensued."

THE UKRAINE

[From the New York Times, Feb. 8, 1968]

K.G.B. IS SAID TO HARASS UKRAINIAN INTELLECTUALS

LONDON, February 7.—An account of security-police harassment of Ukrainian intellectuals and of the harsh conditions in labor camps to which some have been sent was published today in The Times of London.

The description of the activities of the security police, the K.G.B., came from Vyacheslav Chornovil, a 30-year-old television journalist. He was sentenced last November by a Lvov regional court to 18 months in a labor camp.

The article says the letter was published in Ukrainian in Canada and reached the newspaper from there. It had been sent to Pyotr Y. Shelest, First Secretary of the Ukrainian Communist party, in June, 1966. It was for distributing copies of this letter that Mr. Chornovil was imprisoned.

"The men mentioned in it are, like the author, imprisoned," according to The Times. "They have been sent to the freezing labor camps of the Moldavian Republic, along with Sinyavsky and probably Yuri Galanskov and Aleksandr Ginzburg, whose punishment was pronounced last month."

The Times article said Mr. Chornovil was educated at Lvov University, had been an official of the Young Communist League and worked for Lvov television and a league newspaper.

REFUSED TO TESTIFY

He refused to testify for the prosecution at a secret trial of Mykhaylo Osadchy, a lecturer at Lvov University, who in April, 1966, was sentenced to two years in a camp under severe discipline. Mr. Osadchy was one of several Ukrainian intellectuals who were secretly tried in 1966.

Mr. Chornovil had been moved to make his protest after seeing K.G.B. methods against witnesses and accused—methods characterized by the Times report as "interrogations without sleep, electronic eavesdropping, threats, blackmail, humiliation and, where necessary, force."

Mr. Chornovil's letter said:

"Reliance is placed on the hope of breaking the will of the arrested person and forcing him to recite a memorized part at his trial.

"The longer a man sits behind bars, the longer the only individual with whom he can speak is the K.G.B. investigation officer, with his monotonous ditty about the terrible crime and the need to repent; the longer the prison door lock keeps banging closed while the vigilant guard keeps looking into the spy hole, the greater the guarantee that a human will turn into clay from which it is possible to mold whatever one desires."

Mr. Chornovil described K.G.B. bugging apparatus in a building on Khreshchatyk Street, Kiev, the Ukrainian capital, and the agency's methods of carrying out unauthorized searches.

"LIKE A PRISONER OF WAR"

"The protectors of state security arrive in your flat," he wrote. "Like a prisoner of war you stand with your hands in the air, waiting until your 'friend, comrade and brother' feels your pockets. Sometimes, to terrify your wife or neighbors, he will propose that you 'produce your weapons.' Then you are shown

the warrant, which is for confiscation of anti-Soviet documents duplicated by you."

The letter described how friends protested at the trial in March 1966, of Yaroslav Hvirch, a Kiev student. Militiamen and plainclothes men threw them out of the courtroom, the Times article added.

The date of sentence was changed but the friends found out. To prevent a demonstration, the article continued, the court was packed with stooges, "marching almost in ceremonial step into the court building." It said that after the trial people broke through a police cordon and shouted questions at the chairman of the regional court.

According to Mr. Chornovil, the same judge presided over a later trial when only three persons were admitted to the court for the sentencing of a group of Kiev scientific workers. Two spectators, women poets, threw flowers to the prisoners after they had been sentenced to three years each, the article said.

In a Lvov trial, Mr. Chornovil continued, friends of the accused covered a police wagon with flowers and shouted "glory" to the sentenced men.

The Times article also contained excerpts from two letters written by inmates of Moldavian labor camps.

One was written by Ivan O. Kandyba, a lawyer and former Communist party member and official propagandist, who was sentenced in 1961 for Ukrainian nationalist activities. It was written late in 1966 in an appeal to world opinion against his conviction. Describing conditions in his camp at Yavas, he wrote:

"The great majority of the prisoners are on semi-starvation rations. Theoretically we are to receive 2,300-2,400 calories daily, but we are lucky if we get 1,500 because the products are of low quality, especially in spring and summer before the new crop. The herring is rotten and smelly. The dried potatoes, macaroni, barley and meat are infested with worms.

"We are forced to fulfill our work quota 100 per cent. At the type of jobs we do we use up 3,500 to 4,000 calories. Try to survive on that if you can!"

The other letter, from an anonymous prisoner in the Yavas complex of camps, takes up the tale. Written in January, 1967, from Ozerne, a village near Yavas, it said:

"There are 276 male political prisoners in Camp 17A. Among them is the writer Yuli Daniel.

"Most of the male prisoners are invalids. They have only two crowded, cold and badly ventilated huts. Prisoners never even receive a full portion of their small rations of food. Even a healthy person cannot eat the sour, half-baked bread. Medical aid is virtually nonexistent. On Jan. 7, the prisoner Mykhaylo Soroka, who has spent 31 years in Polish and Soviet prisons, fell seriously ill with coronary thrombosis.

"Medical help was essential. But a medical assistant arrived only four days late. On the seventh day after his attack Soroka was taken to the medical station. Up to this time he stayed in a hut, looked after by a medically trained prisoner without drugs or instruments.

"The so-called hospital contained only seven beds to accommodate 225 invalids, most of them seriously ill and quite old. There are no drugs and the prisoners are not allowed to receive any from their families—not even vitamins.

"Often doctors at the central hospital sent back prisoners in whom cancer had been diagnosed—they had every right to release them. Only the prisoners' death and autopsy confirmed the initial diagnosis.

"In Camp No. 11, the prisoner Ivan Maksym applied several times for medical aid to the surgeon, but he was called a malingerer. He died as a result."

The letter said that when Mr. Daniel "com-

plained about the shocking attitude" toward the sick, "the medical inspector said it was irrelevant—the sick man had not died during the time when he had lacked medical aid—and he tried to make Daniel acknowledge that everything was in order in the camp." Mr. Daniel refused, the letter said.

FIRST PUBLICATION IN MUNICH

According to a spokesman for Prolog Associates, a Ukrainian organization at 875 West End Avenue, the Chornovil letter was first published last October in a Ukrainian-language magazine, *Suchasnist* (Contemporary Times), in Munich.

The letter subsequently was published in a Ukrainian weekly newspaper, *Novyi Shlachh*, in Winnipeg on Jan. 6.

[From Prolog Research & Publishing Association, Inc., New York, N.Y., March 1967]

THEY ARE STILL IN PRISON

(A report on the arrests and trials of Ukrainian intellectuals, 1965-66)

During August and September of 1965 a wave of political arrests swept through the Ukrainian SSR. Hundreds of persons were detained for questioning, some were released only to face loss of jobs as suspicious persons. Others were held for trials, which took place in the early months of 1966. At least twenty are still serving their sentences in hard labor camps of the Soviet Union. Their "crime" amounted to voicing demands for equal rights for their country and culture—rights, that are formally guaranteed by the Soviet Constitution. They were Ukrainian intellectuals who strove for freedom of expression and artistic creativity. They were not members of any illegal organization. Nor did they threaten armed insurrection.

This year Soviet Union celebrates the 50th anniversary since the fall of Imperial Russia and the establishment of Soviet rule on the latter's territories. Fifty years ago Ukraine and other Soviet republics proclaimed their sovereignty. Yet some twenty Ukrainians are "celebrating" these events in political prisons, sent there—like the two Russian writers Andrey Sinyavsky and Yuli Daniel—practically on the eve of the anniversary.

(Prolog Research and Publishing Association, Inc., has published several releases about the arrests, as the information became available. This report summarized all the available information to date.)

The arrests took place in several cities of the Ukrainian SSR: Kiev, Lviv, Odessa, Ivano-Frankivsk, Lutsk, Zhytomyr, Ternopil and in some villages.

More than 200 persons were involved. Some were interrogated and released, others were held for trial. The trials started in January 1966 in Lutsk, Ivano-Frankivsk, Ternopil, and towards the end of April—in Lviv. The Lviv trial was a closed one, and not even the immediate families of the defendants were permitted into the courtroom. Only after insistent demands by a group of young Ukrainian writers from Kiev, three of the writers were admitted to the courtroom for the sentencing, April 28, 1966.

REPORTS OF ARRESTS CONFIRMED

Soviet authorities made an effort to keep the arrests and trials secret, and for this reason, nothing about them has appeared in the Soviet press to this day. But the arrests are widely known in the Ukraine and on Nov. 11, 1966 they were confirmed in New York by two members of the Ukrainian SSR Delegation to the 21st Session of the U.N. General Assembly. Speaking at a meeting held in the Overseas Press Club the two delegation members—Ivan Drach and Dmytro Pavlychko—confirmed that the persons named below, were arrested, tried and imprisoned for "anti-Soviet Propaganda." Moreover, since the publication of the news of these arrests in the West (*The New York Times*, *Le Monde*, *New Statesman*, *Sunday*

Telegraph, *L'Osservatore Romano*, and others) the Soviet authorities did not deny them.

NAMES AND SENTENCES

Following is a list of names of some of those arrested and their terms of imprisonment:

Yaroslav Bohdanovych Hevrych—student from Kiev—5 years;

Ivan Andriyovych Hel'—laborer, evening school student in Lviv—3½ years;

Bohdan Mykolayevych Horyn'—research associate of the Lviv State Museum of Ukrainian Art, literary critic, art critic, author of a series of articles, reviews and critiques, published between 1960-1965 in the magazines, *Zhovten'*, *Prapor*, *Zmina* and in the newspapers *Molod' Ukrainy* and *Literaturna Ukraina*—4 years;

Mykhaylo Mykolayevych Horyn'—psychologist, specialist in industrial psychology, from Lviv—6 years;

Opanas Ivanovych Zalyvakha—journalist and artist from Ivano-Frankivsk, illustrator of books—5 years;

Dmytro Polikarpovych Ivashchenko—lecturer of Ukrainian literature, candidate of philological studies, chairman of a branch of the Union of Writers of Ukraine in Lutsk—2 years;

Svyatoslav Yosypovych Karavans'kyi—philologist, poet, translator, and journalist from Odessa—convicted in 1944 and sentenced to 25 years in a concentration camp, freed in 1957 after serving half of his term, arrested in 1965 and sent without trial to Mordovskaya A.S.S.R. to serve the second half of his sentence despite the fact that according to the new law the highest term does not exceed 15 years. In 1965 his articles appeared in the magazines *Zhovten'*, *Fizkultura i Sport*, *Znannya ta Pratsya*. (His article in the magazine *Znannya ta Pratsya*, No. 10, dated Oct. 29, 1966—entitled "Excursion to the Laboratory," ends with the note "To be continued" but so far it has not);

Yivha Fedorivna Kuznyetsova—research assistant in a laboratory, from Kiev—3 years;

Oleksander Martynenko—engineer from Kiev—3 years;

Mykhaylo Savych Masyutko—pensioner from Lviv, specialist in literature, author of the article "Ivan Franko Fighter for the Freedom and Unity of the Ukrainian Nation," which appeared in the Oct. 1964 issue of *Dnipro* magazine—6 years;

Valentyna Moroz—historian from Lutsk—4 years;

Mykhaylo Ozerney—research worker, translator, from Ivano-Frankivsk—3 years;

Mykhaylo H. Osadchyy—literary scholar and critic, author of articles about Ostap Vyshnya in the magazine *Zhovten'* during 1962-64 and of a dissertation about Ostap Vyshnya which he presented for his candidate's degree in philological studies, lecturer at the Lviv State University—4 years;

Anatolii Shevchuk—a young novelist from Zhytomyr; his works appeared in *Literaturna Ukraina* in 1962, in the magazine *Zhovten'*, No. 9, 1965 and others—4 years;

Maria Zvarychevska—archivist at the Lviv Oblast Archive—8 months imprisonment, freed after serving the term;

Mykhaylo Vasylovych Kosiv—lecturer of Ukrainian Literature at the Lviv State University, literary critic, freed from imprisonment because of a heart condition, currently unemployed;

Ivan Rusyn—worker at the Kiev Research Institute of Geophysics—3 years imprisonment, freed in the summer of 1966;

Mykola Hryn'—research worker at the Institute of Geophysics of the UkSSR Academy of Sciences in Kiev—3 years;

Ihor Oleksandrovych Gereta—a scholar at the Institute of Geophysics of the UkSSR Academy of Sciences in Kiev—3 years;

Teodosiy Yaroslavovych Chubaty—teacher at the Ternopil Music School—4 years.

REASONS FOR THE ARRESTS

The accused were charged with writing, copying and spreading of articles dealing with the present state of Ukrainian literature, language and culture under the Soviet system. They were also charged with spreading pre-1917 works in Ukrainian by authors who are currently proscribed in the Soviet Union, as well as other books, published abroad, dealing with the colonial status of formally sovereign Soviet Ukraine, the text of the address delivered by Gen. Dwight D. Eisenhower at the unveiling of the Taras Shevchenko statue in Washington, and an address by Pope John XXIII.

To this the authorities applied Article 62 of the UkSSR Criminal Code, which states:

"Any agitation or propaganda with the intent to undermine or subvert the Soviet regime, participation in certain specific and particularly dangerous crimes against the state, dissemination with the same intent of slanderous inventions against the Soviet state and its social system, as well as distribution, preparation or possession to the above end of literature with such content are punishable by the loss of freedom for terms from six months to seven years or banishment for terms from two to five years. The above actions, if committed by persons previously convicted for serious crimes against the state or of crimes committed in time of war, are punishable by imprisonment for terms from three to ten years."

In fact the defendants—virtually all of them intellectuals of the young generation—were protesting the total disdain to things Ukrainian prevalent under the present system in the Ukrainian SSR. They demanded actual recognition of the Ukrainian language and culture in Ukraine and implementation of rights guaranteed by the Constitution.

Their efforts led to frequent interrogations, loss of jobs, and, as in the case of at least 20 persons—imprisonment in concentration camps for political prisoners, outside the borders of the "sovereign" Ukrainian SSR. Like Sinyavsky and Daniel they were sent to the Potma area camps in Mordovskaya A.S.S.R.

All this has happened fifty years after the fall of the Czarist tyranny, proving once again, the Ukrainian intellectuals still cannot live and work freely in their native land.

[From the Christian Science Monitor, Apr. 13, 1968]

UKRAINE DISSENT: NATIONALIST AND INTELLECTUAL FERMENT CONFRONT FACADE OF SOVIET UNITY

(By Paul Wohl)

A new wind is blowing in the Ukraine and battering the facade of Moscow's Russian-led multinational state. A new Ukrainian nationalism has combined with the insurgency of young intellectuals against Communist clichés and bureaucratic oppression.

The challenge of the young Ukrainian intellectuals hits at the very foundations of present-day Communist philosophy. "Let us imagine for a moment that German fascism had won," suggested Ivan Dziuba, a writer (unpublished since 1965) whose works circulate secretly in the Ukraine, in a speech delivered at an illegal private meeting. The meeting was held on the occasion of the 25th anniversary of the Nazi massacre of 50,000 Jews and several thousand Russians and Ukrainians at Babi Yar.

The Germans would "have created a . . . flourishing society [with] a high level of economic and technical development, which would have discovered the same scientific and other achievements as we have," he said. But "such a regime, under which Ukrainians would have been 'mute slaves' would have done everything . . . to make their inhuman society appear normal."

"We should judge each society not by its external achievements, but * * * by how it

values human dignity and human conscience."

LENIN QUOTED

Several members of the Jewish intellectual community of Kiev attended the meeting. The speaker alluded to certain similarities between the Nazis and Stalinist and neo-Stalinist Communism, but he also referred to "Lenin's instructions concerning the struggle against anti-Semitism and the national development of the Ukraine."

The nationality problem, said Mr. Dziuba, has become the victim of a plot of silence. "The road to true and honest brotherhood lies . . . in [national] self-awareness, [not in] assimilation and adaptation which will bring nothing but boorishness, blasphemy, and hidden hatred of man for man."

As Dr. Dziuba spoke, scores of Ukrainian nationalists were in Soviet jails and concentration camps, mostly outside the Ukraine. At least two documents by imprisoned Ukrainians have reached the West in recent months: an 80-page report by the journalist Vyacheslav Chornovil and a long letter by the writer Ivan Kandyba addressed to the first secretary of the Ukrainian party, Pyotr Y. Shelest.

Both documents speak of illegal arrests and hardship in prisons and concentration camps.

EVIDENCE OF FURY

What is new in these documents is not the brutality of the police or the disregard of law, but the evidence of the fury with which the Soviets strike back at Ukrainian nationalism. The Soviets in the case are not only Great Russians, of whom there always were many in the Ukraine, but also pro-Russian Ukrainians.

The insurgents are mostly from the Western Ukraine, which until the end of World War I was under the more benign rule of Austria-Hungary and later under the less benign rule of Poland. Under both the Austrians and the Poles, these West Ukrainians enjoyed rights and facilities denied them under Stalin.

Most of them were religious, belonging to the Uniate Church, which follows the Eastern rite but owes allegiance to Rome, and to the independent Orthodox Church of the Ukraine. Both churches were deprived of their independence under Soviet rule.

The restrictions imposed upon their churches do not fully explain the resentment of the young Ukrainian intellectuals. Most of them were educated under the Soviets and imbued with Communist ideas; some even made themselves a reputation as Communist theoreticians.

COMPLAINTS PARALLEL

What bothered the younger Ukrainian intellectuals was exactly the same thing about which Russian intellectuals complained: the muzzling of thought and the contrast between the theoretical aims of the regime and its oppressive reality.

In the case of the Ukrainians there also was anger over the slight of their language by Soviet officials, the knowledge that decisions on their country are made in Moscow and not in Kiev, and that the rich Ukraine contributes heavily to the economic development of the rest of the Soviet Union.

This is the background against which several secret organizations seems to have been set up inside the Soviet Ukraine demanding the secession of the Ukraine from the Soviet Union in accordance with stipulations in both the Ukrainian and the Union Constitutions.

For the Soviets an independent wholly sovereign Ukraine is unthinkable. This view is shared by the vast majority of Ukrainians in the eastern bulk of their republic, where friendship with the Great Russians is an ancient tradition.

CLOSE TIES DEMANDED

It is significant in this connection that almost every one of the programs set up by the incarcerated Ukrainian nationalists demanded close association with the Soviet Union.

But words are one thing and emotions are another. The violence and bitterness with which the ruling Communist bureaucracy reacted to the proposals of the nationalists, together with the rancor of West Ukrainians toward the Russians, have introduced an element of ambiguity into the discussion, which makes it impossible to take the insistence on legal procedures seriously.

The Ukrainian nationalists do not believe that Moscow would ever allow the peaceful referendum, which they demand, and the Kremlin does not believe the nationalists when they say they want to remain associated with the Soviet Union.

To make things worse for Moscow, the Ukrainians have spokesmen in influential and well-endowed anti-Soviet emigré organizations abroad.

Since Ukrainian nationalists in the past repeatedly have turned for help to the enemies of Russia, the new Ukrainian nationalism poses a serious problem for the Soviet Union.

YUGOSLAVIA

[From the New York Times, Aug. 20, 1967]

YUGOSLAV ASSAILS REDS IN BELGRADE—POET, BARRED FROM THE AIR, BERATES NETWORK HEADS

(By M. S. Handler)

Three Yugoslav writers, including Matija Beckovic, a prominent poet, have been barred from television and radio in Belgrade because of charges that they formed a group through which the Central Intelligence Agency influenced television and radio programming.

In an interview published in *Knizevne Novine*, a Belgrade literary fortnightly, Mr. Beckovic, a non-Communist, denounced the Communist heads of the television and radio networks as "imposters, poltroons, idiots and cowards."

Mr. Beckovic, who is regarded as an "enfant terrible" of Serbian literature, said he owed nothing to the state but that he owed everything to his mother and father. The latter was a member of the anti-Communist forces of Gen. Draja Mihailovic, who was tried and executed in 1946 on charges of treason.

"If what is being said about the C.I.A. is really true," Mr. Beckovic said in the interview, "then I propose that this efficient service be engaged again for our TV programs so that we can see something good. For, as a layman, I consider the C.I.A. to be an enemy of this country and of its TV programs. I think that only the nonsense and stupidity presented on our TV and radio could be excused as activities of the C.I.A."

WROTE FOR BROADCASTS

Mr. Beckovic and his two colleagues, Brana Crncevic and Dusan Radovic, have written many successful television and radio programs for children.

The conflict between the three writers and the Communist chiefs of the television and radio networks was traced to the linguistic controversy between Croats and Serbs, which threatened to become a major political problem last March.

Mr. Beckovic and his colleagues agreed with a group of Croatian intellectuals who were demanding equality for the Croatian language with the Serbian language. The poet also signed a Serbian declaration stating that if Croatian were granted equality, the Serbs, who live in many parts of Yugoslavia outside of Serbia proper, should receive instruction solely in the Serbian language.

Serbs and Croats share the same spoken language, but their different historic devel-

opments resulted in the infiltration of Latin, Italian, German and Hungarian words into the Croatian tongue, while the Serbs employed some Turkish words.

The differences were due to the fact that for many centuries Roman Catholic Croatia was under Austrian control and under Italian cultural influence, while Serbia was under Turkish domination for five centuries.

Under the Catholic influence, Croatia adopted the Latin alphabet, and Serbia, under Greek Orthodox influence, adopted the Cyrillic alphabet.

MANAGERS DENOUNCED

In his denunciation of the Communist managers of the networks, Mr. Beckovic said: "These party people love the nation as a whole, but hate man individually. Every day I have to prove my wits and talent, while they are free of any requirement for producing such evidence."

Mr. Beckovic said one of the things he could not tolerate in Yugoslavia were secret trials.

"I cannot tolerate any secret trials behind closed and padded doors," he said. "I do not admit that such a policy is legal. I do not recognize my biography, which they dreamed up while gazing into the fireplace. I do not recognize blind people as art critics. When surrounded by impostors, poltroons, idiots and cowards, a normal person has the more to admire himself."

[From the New York Times, Oct. 18, 1967]

CZECHOSLOVAKIA

CZECH PRESSURE ON CHURCH GROWS—CZECH SECRET DOCUMENT DISCLOSES PARTY DIRECTIVES BARRING SUPPORT FOR RELIGION

A secret document of the Czechoslovak Communist party ordering a step-up of anti-religious pressures has come to light through informed sources.

The document of the party's Central Committee, dated Aug. 7, reviews recent unsuccessful negotiations between the Czechoslovak Government and the Vatican. It notes increased and partly successful efforts by the church to enlist the support of intellectuals, professional men and even Communist party functionaries.

Finally, it invites local party leaders to pass orders on to all levels of the party "to take appropriate pedagogical and politico-religious measures to increase the instructional efficacy in the fight against the influence of religious ideology."

WRITERS ARE EXPELLED

The source supplying the document—a member of a highly respected and powerful organization—vouched for its authenticity.

The antireligion directive is the second recent indication of a hardening line by the Czechoslovak party, according to informed sources.

Last month the Central Committee ousted Jan Prochazka, one of the country's best-known writers, as a candidate member of the committee, expelled three other writers from the party and put restrictions on a leading literary magazine, *Literarni Noviny*.

The actions have been regarded as a move by the party to curb a mounting wave of independence and criticism among Czechoslovak intellectuals. At a writers' congress in June party restrictions on freedom of expression and other aspects of Communist life were attacked.

The church-state confrontation has parallels in Eastern Europe. In Poland, and, to a lesser extent, in Hungary, relations between the Communist regimes and the Roman Catholic Church have become more tense. The Warsaw Government has refused to give a passport to Stefan Cardinal Wyszyński, Archbishop of Warsaw and Gniezno, to permit him to attend the Synod of Bishops in Rome.

The secret Czechoslovak document on re-

ligion begins with a review of the negotiations in June between Vatican representatives and the Czech Government. It asserts that the Vatican sought "unilateral" advantages.

RIGHT TO NAME BISHOPS SOUGHT

It is known that the church negotiators tried particularly to obtain the right for Rome to name bishops to 8 of the 12 Czechoslovak dioceses directed by Government-appointed "capitulary vicars."

The term normally is applied to the churchman, often not of episcopal rank, who directs a diocese in the usually short interval between the death or transfer of one bishop and the appointment of a successor.

"On our part, we have no haste to negotiate and will not yield to the Vatican," the document says.

It goes on to note the church efforts, particularly since Ecumenical Council Vatican II, held from 1962 to 1965, to re-establish the Czechoslovak hierarchy, much dispersed since the Communists gained power in 1948.

Some priests and laymen, it is asserted, attempt to recruit officials of local committees, cultural leaders, and others and "by means of them" try "to influence other groups of citizens."

The document notes, during the last year, an increase in the number of church baptisms, marriages, funerals and children taking religious instruction.

"Thus it is necessary to intensify the ideological and pedagogical work to overcome this negative tendency," the report goes on. It calls on all party cadres to work at this task, particularly with the young.

They must be vigilant, the Central Committee declares, to insure absolute observance of the law regulating church-state relations. Citizens are warned to "refuse to admit any new forms of religious life."

Similar provisions are to be taken, it is stated, against non-Catholic churches "where also one observes negative movements."

[From the Washington Star, Oct. 8, 1967]

CULTURAL BATTLE STIRS CZECHS

(By Bernard Gwertzman)

PRAGUE.—The entire staff of Czechoslovakia's most respected journal has either resigned in protest or has been fired in the latest round of the cultural battle that is stirring this city's political and intellectual leadership.

The dispute centers around the weekly cultural journal, "Literarni Noviny," whose sophisticated Western-oriented articles have ranked Communist party leaders for years but gained it a 150,000 circulation.

Several of its editors, all party men themselves, have openly attacked the current party leaders and the restrictions put on life here.

THREE ARE EXPELLED

At a special Communist party central committee plenum Sept. 26-27, three writers were expelled from the party and a fourth dropped as an alternate member of the central committee.

More serious to the writers, the journal was taken away from the liberal-dominated Czech Writers Union and given to the party-controlled Ministry of Culture and Information.

Within days the ministry fired all but five of the 16-man staff. The remaining five then resigned in protest.

A new chief editor was finally found—Jan Zelenka, who also edits a glossy pictorial magazine. He was able to throw together an issue in time for Friday's normal publication date.

The problem of the writers and the party leaders is a complex but important one involving more than simply artistic freedom. In fact artistic freedom is the least affected.

SOPHISTICATED CULTURE

Prague's cultural life is wide open and its theater, films and fiction are more adven-

turous and sophisticated than in most Western countries.

The crucial issue concerns the Communist party's determination to maintain its role as the main ideological force in Czechoslovakia, with the equally strong view of many writers and intellectuals that the party leadership is behind the times, undemocratic and unwilling to face honest criticism.

At the same time the party leaders need and openly seek the support of the intellectuals for the far-reaching economic reforms now taking place throughout Czechoslovakia.

These liberal reforms, which are causing and will cause radical changes in many industries, have been attacked by party conservatives, particularly in provinces where vestiges of Stalinism still exist and where leaders fear the reforms will abolish long-time sinecures.

MODERATE PATH SOUGHT

The nation's leadership, under First Secretary Antonin Novotny and ideologist Jiri Hendrych, wants to follow a moderate path that would keep a party primacy and win support from liberals in the cultural and economic fields as well as conservatives.

Thus even though Literarni Noviny had been attacked strongly by Hendrych at the party plenum, most writers on that journal's staff believe he did it somewhat reluctantly and only because of the publicity given the views of the journal's writers in the West.

This theory was reinforced on Friday in the lead editorial written by Zelenka, the new editor.

He said that despite fears freedom would be ended, the pages of the journal will be open to creative thinking in all spheres.

Zelenka's editorial seemed somewhat defensive in tone, possibly as a result of widespread resentment here against the shifts at the journal.

He pledged that the journal would be open-minded and would provide sufficient leeway for polemics.

Jan Fojtik, editor of the party newspaper "Rude Pravo" and a man not known for his liberal views, has warned publicly against letting the criticism against the Literarni Noviny staff turn into a nationwide crack-down on liberals.

He said that several local party organizations had called for a tough hand against writers, but he said this policy would only make martyrs of the intellectuals and lead to a new wave of liberalism.

FLAPS IN PAST

There have been other flaps in the past involving cultural journals. In 1963-64 the Slovak journal, Kulturny Zivot, was attacked and in 1966 the journal Tvar was closed.

But the current dispute has gotten more attention because of the people involved, and because of the ferocity of the attacks.

The three editors expelled from the party were A. J. Liehm, a prominent critic and the Czech translator of several French authors, including Jean Paul Sartre, Ivan Klima, another critic of some prominence, and Ladislav Vaculik, a novelist.

In addition a ranking literary figure, Jan Prochazka, was dropped from the Central Committee.

They were singled out for attack because of their speeches at the Czech Writers Congress or June 27-29. Among other things, they called for an end to the censorship law that is more annoying than restrictive, and they attacked the party leaders while praising the democratic traditions of the prewar non-Communist government.

Their attack was prompted, in part at least, by the hard line the regime was taking in connection with the Arab-Israeli war.

Here as elsewhere in East Europe, Israel was the more popular country among intellectuals.

TRANSCRIPT OF DISCUSSION

The editors of Literarni Noviny had set up a roundtable group to discuss the war and

planned to run a transcript of the discussion. But because the proposed article contained pro-Israeli sentiments, it was blocked by the censor.

This happened only a few days before the writers congress and led Klima to call at the congress for an end to the censorship law.

Despite the attacks against them, the former staff members of Literarni Noviny are circulating freely and are willing to talk to Westerners. They do not fear arrest and will continue to write for other publications.

They say the role of Novotny in the dispute is unclear. He was reported as having spoken at the plenum, which was also devoted to economic and other matters. His speech, however, has not been published.

There are the usual number of rumors here that Novotny, who is also president of the government, might give up his party position, but this seems improbable to party people here.

The No. 2 man in the government is Premier Josef Lenart and he has deliberately stayed out of the intellectual fight, giving rise to hopes among some intelligentsia that he would be a more liberal leader.

[From the New York Times, Oct. 14, 1967]

CZECHS PRESSING CURB ON WRITERS—GROUPS REPORTED DISSOLVED TO COMBAT DISSIDENTS

VIENNA, October 14.—The leadership of the Czechoslovak Communist party is warring with most of the nation's best writers as a result of a series of ideological disputes dating back more than four months.

According to Eastern European informants, the regime of President Antonin Novotny has felt compelled to go beyond the expulsion of leading intellectual rebels from the party and, in recent weeks, has begun to abolish official institutions of the writers.

Among those who have been expelled from the party are the following:

Ludvik Vaculik, a 41-year-old novelist-journalist who denounced the Communist power structure at the stormy congress in Prague of the Czechoslovak Writers Association last June. Czech publications have been barred from printing his words, but his friends have rallied behind him by nominating him for the annual Julius Fugik Prize as the best journalist of the year. This has greatly embarrassed the party leadership.

Antonin J. Liehm, also 41, a film critic who upset the party by constantly emphasizing the political implications of the new Czechoslovak films. He is now forced to publish under pseudonyms.

Ivan Klima, a writer who made invidious comparisons between the degree of freedom of citizens under the old Austro-Hungarian monarchy and the Communist regime in his address to the June congress.

PENAL MEASURES BEGUN

In addition, it is reported that the party leadership has undertaken penal measures against Milan Kundera, a writer, and Jan Prochazka, a film-script writer and publicist.

Mr. Kundera remarked at the writers' congress that the intelligentsia in Czechoslovakia had always played a major political role in the life of the nation, citing examples of dating back to the great 15th-century reformer, Jan Hus, the rector of Prague University who was burned to death by the Roman Catholic Church for preaching equality.

Mr. Kundera's speech was viewed by the party as an attack against the traditional Leninist concept of the leading role of the working class. Mr. Kundera, in statements previously unpublished, also spoke of the prewar Czechoslovak republic as a democracy, contrasting it with the present regime.

Mr. Prochazka, a former favorite of President Novotny, has been dropped from his candidate membership in the party's Central Committee because in September, on the 30th anniversary of the death of Thomas G.

Masaryk, he published an article that implied that the prewar Czechoslovak President possessed qualities far superior to those of the country's present leaders.

Besides these measures, the party leadership dismissed the editorial board of the dissidents' periodical, *Literarni Noviny*.

The newly appointed publisher, Karel Hoffman, 45, is by profession a teacher, with a reputation as an "apparatchik"—a reliable party functionary. Prague writers now mock *Literarni Noviny* as "Tales of Hoffman."

The periodical is now published under the wing of the Culture Ministry instead of the Writers Association, and Jan Zelenka, who was formerly associated with popular newspapers, is the editor.

Informants said that Jiri Hendrych, who is second in command in the party apparatus, was also considering outright abolition of the federal Writers Association and its replacement by regional organizations of writers. This plan is viewed by the dissidents as a "divide-and-rule" tactic.

CENSORS MORE DILIGENT

Party censors, who had been rather superficial in recent years, are now scrutinizing manuscripts carefully, according to the informants.—Stalinist writers such as Ivan Skala have received appointments to senior editorial posts.

Prague sources said that Mr. Hendrych regarded the reining in of the dissident writers as a personal cause after his own daughter, Zdena, got involved in a political scandal earlier this year.

Last winter Zdena Hendrych, who is in her early 20's, had an affair with a 31-year-old writer named Jan Benes, it is reported. To please him she stole a Central Committee document from her father's desk and gave it to Mr. Benes, who then helped smuggle it out to a Czechoslovak émigré organization in Paris.

Mr. Benes was caught and sentenced last summer to five years in prison. Miss Hendrych, who spends little time at home, tells friends she thinks her father is disgusting.

Mr. Hendrych suffered a heart attack when he learned of his daughter's act and spent several months recuperating in the party sanatorium outside Prague last spring.

[From the New York Times, Mar. 14, 1968]
CZECHS COMMENT ON MOSCOW TRIAL—PUBLISH LIST OF INTELLECTUALS IN WEST WHO PROTESTED

(By Harry Schwartz)

PRAGUE, March 13.—A thinly veiled comment on the latest trial of Soviet writers was published today by Czechoslovakia's leading literary weekly, *Literarni Listy*, and a Prague newspaper, *Svobodne Slovo*, reported on the tension between students and the authorities in Poland.

Some intellectuals expressed dismay at the anti-Semitic implications of the charges in Warsaw that Zionists were responsible for recent riots there. Some fear that conservatives in Czechoslovakia may use the same kind of weapon against Czech liberals, some of whose most prominent and most articulate leaders are Jews. There are 18,000 Jews in Czechoslovakia in a population of 14 million.

Literarni Listy used an oblique approach in its article on the Soviet writers' trial. It printed a summary of a recent *Pravda* article denouncing foreign intellectuals who had spoken up for the jailed Soviet writers.

PROTESTERS ARE LISTED

Literarni Listy printed a list of some of the Western intellectuals who had joined in the protest. It named Igor Stravinsky, Bertrand Russell, Julian Huxley, J. B. Priestley, Henry Moore, Yehudi Menuhin and the writers' organizations of Sweden, Denmark and Finland.

One employee of the magazine said today, "Our readers will understand what we mean."

Repression of writers in Czechoslovakia was a major factor in the political controversies in Prague late last year that preceded the ouster of President Antonin Novotny from the post of party secretary and his replacement by Alexander Dubcek.

Svobodne Slovo reported that 2,000 students in Cracow had demanded freedom of the press and of speech and the reinstatement of students expelled from Warsaw University. It also said the Cracow students had complained about false information in the Warsaw press regarding the demonstrations Friday and Saturday.

Previously Prague newspapers sought to portray the riots in Warsaw as the work of "hooligans" who had no connection with Warsaw students.

JEWS PROMINENT CRITICS

Czechoslovak liberals fear the conservatives may use anti-Semitism as a weapon because such Jews as Edward Goldstuecker, president of the writers' union, and Milan Weiner, a radio commentator, have been prominent in the current outspoken criticism of past conservative practices.

The Minister of Defense, Gen. Bohumir Lomsky, was accused by two newspapers today of having made an inadequate defense of the army against recent criticism. The newspapers said the minister had failed to explain why Maj. Gen. Jan Sejna, who defected to the United States last month, was able to occupy a high and sensitive post even though there was evidence of his deficiencies.

The newspaper *Prague* said General Sejna's moral deficiencies were so well known that they were the cause of his being rejected for the post of a candidate member of the Central Committee at its 12th congress in 1962. The newspaper said many people knew that he gave huge drinking parties.

The evening newspaper, *Vecerni Praha*, said the general had been dismissed from a position in 1956 because of a love affair that was hushed up with the connivance of his superiors.

The newspaper also said General Sejna had helped to cover up the publication of information about embezzlements by a subordinate, Col. Jaroslav Moravec, who is in jail, charged with having participated in some of the fraudulent activities on the basis of which General Sejna's extradition from the United States is now being requested by the Czechoslovak Government.

[From the Christian Science Monitor, Mar. 14, 1968]

NOVOTNY ON SKIDS?—CZECHS BOIL WITH OUTRAGE

(By Eric Bourne)

VIENNA.—It seems certain that President Novotny of Czechoslovakia must go.

The public campaign against Prague's hard-line chief escalated with such bitter force over the weekend that his resignation is expected to be only a question of time.

And it appears that unless Mr. Novotny is deposed, the new, more liberal leadership will come under fire from the restless public.

The mood and events now stirring Czechoslovakia—the force of the open attacks on an unpopular regime—have their only precedent in Hungary in the middle '50's, when public unrest forced the withdrawal of another Stalinist leader, Matyas Rakosi.

All last week the Czech movement gained momentum.

DEMANDS ISSUED

Over the weekend extraordinary emergency sessions of local Communist Party branches were held throughout the country to make demands for removal of all officials "unfit for office" and a speed-up of democratization.

On Sunday President Novotny—party leader also until two months ago—was attacked as the man most responsible for the oppression and failures of the past 15 years.

One attack was by a Prague radio commentator, who accused the Novotny leadership of misusing and abusing "power and socialist ideas." The other was a stern indictment by Oldrich Stary, rector of Prague's Charles University and a member of the party Central Committee.

The same day hundreds of students visited the shrine of Jan Masaryk, Czechoslovakia's Foreign Minister at the time of the Communist seizure of power in 1948. The students placed flowers on the grave to mark the 20th anniversary of his tragic and mysterious passing.

MASARYKS HONORED

It was the first such observance in 20 years. And only in the last few years have the barest references to Jan Masaryk and his father, Tomas, first president of Czechoslovakia, been permitted.

Sunday's newspaper carried tributes to both Masaryks and their work for the Czechoslovak republic founded after World War I. One paper even recalled the elder Masaryk's remarks about finding "decent leaders" for "posts of decision" as a heritage of today's struggle for liberalization.

Jan Masaryk was the only non-Communist politician of note to agree to carry on in the new Communist government. He did so, he said, to avert the tragedy of civil war.

There was considerable mystery about his end which came in a fall from this third-floor flat in the Foreign Ministry a few days before the government presented itself to a heavily purged Parliament.

LIBERTY CRUSHED

But his closest friends said afterward they believed he had chosen suicide because he found he could not, after all, serve with the party which had crushed Czechoslovak democracy and liberty.

Pledges that much of that pre-war democracy is to be restored followed prolonged Central Committee meetings in December and January, which ended finally with Mr. Novotny's ouster as party First Secretary.

There was an immediate release of lively press discussion over a democratizing "action program" which foreshadows freedom for the arts and sciences, the lifting of censorship, curbs on police powers, and an independent judiciary and Parliament.

But until a fortnight ago Czechoslovakia's quiet revolution was largely the affair of intellectuals, writers, and journalists. The public at large viewed the change at the top skeptically.

DEFECTION STIRRED MASSES

All this changed with the defection of Gen. Jan Sejna, Mr. Novotny's military friend and the top political man at the Defense Ministry. The general now is in the United States.

Subsequent confirmation of rumors that during the January Central Committee sessions the general had tried to engineer an Army coup to keep President Novotny in office, touched off angry feelings which have spread like a prairie fire.

But General Sejna's flight gave an immense impetus to the reform movement. Newspapers are operating virtually free from censorship now. A ferment of discussion and a resolve that there must be no return to repressive policies are sweeping the country.

An end to the personal-power system epitomized in Mr. Novotny, a role for non-Communist political parties, and secret and free elections are some of the demands being pressed with ever-increasing vigor.

Moments of decision will come Wednesday when both Central Committee and Parliament are to meet in extraordinary sessions. Their decisions are to determine responsibility in the Sejna affair, to review the role of the Army in politics, and to decide Mr. Novotny's future and further action against the Stalinist group which still supports him.

Mr. Novotny's successor as party First Secretary, reform-minded Alexander Dubcek,

will face his first big test. The results may have repercussions outside as well as inside Czechoslovakia.

[From the New York Times, Mar. 18, 1968]
MILOVAN DJILAS AND EAST EUROPE'S THREE
REVOLUTIONS

(By Harry Schwartz)

BELGRADE, March 17.—A writer, newly arrived from turbulent Prague, is tempted at once to seek out Milovan Djilas. Everything one has seen and heard in Czechoslovakia echoes ideas first read in Djilas's book, "The New Class," more than a decade ago. That volume's theme was the incompetence and corruption of those whom the Communist revolutions raised to power, and this theme is central to the current lively discussion in Czechoslovakia.

It is not hard to find Mr. Djilas here. A Yugoslav official grins as he says there is no law against visiting the celebrated heretic, and that one can find Djilas's telephone number in the directory, listed under the name of his wife, Stephanie. A phone call to the Djilas apartment brings a prompt invitation to come up.

DJILAS AT HOME

Seen in his comfortable, book-lined apartment, the 57-year-old Djilas looks fit though his face is lined. His hair is still more black than gray. Watching him bustle about the apartment getting a visitor brandy and coffee, it is hard to believe that this is a man who has spent most of the past twelve years in jail. He speaks with pride of his current translation of Milton's "Paradise Lost" into Serbo-Croatian. He glows even more when he speaks of his 15-year-old son "who is a good student."

Asked if he can speak of matters political, Mr. Djilas says matter of factly that under the conditions of his parole he may not give any interviews or public statements for five years after his release from prison, and he has nearly four more years to go. So we talk of politics animatedly for two hours, but off the record. The visitor leaves impressed by how vigorous Mr. Djilas's mind is and how closely he watches the world scene.

REVOLUTIONARY CURRENTS

This visit provides a reminder of how complex the revolutionary process in Eastern Europe was and is. That process began here in Belgrade almost exactly twenty years ago when Tito defied Stalin. Today Poland, Czechoslovakia and Rumania are on the crest of the latest wave of change. But if Americans are to understand this evolution, they must stop thinking in terms of a struggle between Communists and anti-Communists analogous to the battles between rustlers and sheriffs' posses in the American West that are so popular on Yugoslav television.

A more serious analysis must grapple not with one but with three revolutionary currents that are eroding the institutions Stalin's Red Army helped impose on this part of the world. And the Communists are to be found on both sides of the present barricades on all these issues.

The oldest revolution is that which seeks genuine national independence. Russia recognized Yugoslavia's right to this in 1955 when Khrushchev came to this city and publicly apologized for the 1948 break. Now Rumania is increasingly claiming the same freedom. But the Hungarian effort to break Moscow's mastery was overwhelmed by Soviet tanks in 1956, and even the most extreme of today's Polish and Czech heretics feel compelled to publish formulas aimed at reassuring Moscow they intend to remain obedient allies for the foreseeable future.

The second revolution, chronologically speaking, began here also in the early 1960s. This is the battle to liberate these countries from the Stalinist economic system fastened upon them after 1945. Tito long ago dissolved most of Yugoslavia's collective farms, abandoned detailed central planning and gave

great scope to competition and other market forces within a framework of Socialist ownership. Elsewhere in Eastern Europe only the Poles got rid of their collectives. Now the battle against the deadening hand of the central planners is going on almost everywhere in this area, including Russia, with Communist technocrats deposing old-line Communist industrial executives.

INCOMPLETE FREEDOM

Finally there is the revolution that seeks to marry socialism with genuine democracy, even to opposition parties and full civil rights. This is the banner under which the students and intellectuals of both Czechoslovakia and Poland are now marching. But in Rumania, Bulgaria, East Germany, Hungary and Albania such demands cannot be voiced today outside the most intimate circles of close friends.

Here in Yugoslavia, one concludes, only two and a half perhaps of these three revolutions have won. This country is fully independent; it has the freest economy in the Communist world and, except for Czechoslovakia's recent progress, it has the freest press and freest speech in Eastern Europe. But Milovan Djilas cannot give a public interview and another local heretic, Mihajlo Mihajlov still sits in jail. All three revolutions must be won, in short, before Eastern Europe can be fully free.

[From the New York Times, Mar. 27, 1968]
CZECHS' CONCERN OVER BLOC RISING—WRITERS
AND ARTISTS VOICE FEAR ABOUT PRESSURES

(By Henry Kamn)

PRAGUE, March 26.—Concern and criticism over pressure put on Czechoslovakia by her Communist allies broke into the open this evening, accompanied by signs of official embarrassment and apparent efforts to suppress the news.

The sensitivity of the new Czechoslovak leaders to this issue was further demonstrated tonight by a move by Alexander Dubcek, First Secretary of the Communist party. He took the unusual step of giving an interview to the official press agency to calm fears.

BLOC PARLEY AT ISSUE

The Czechoslovaks' concern over pressure from other members of the Soviet bloc was voiced by 134 writers and artists in a letter to the Presidium of the Communist party. The letter raised questions concerning the outcome of the bloc meeting last Saturday in Dresden, East Germany.

In the mildest version published, which appeared in the out-of-town editions of some of tomorrow's Prague newspapers, the letter, whose text did not become available, declared:

"The communiqué of the Dresden meeting gave the impression that if we paid heed to other countries it could influence our own development."

In versions broadcast at 7 P.M. on radio and television, the signers appeared to criticize more directly, indicating fear that Czechoslovakia's delegation had not stood firmly enough against pressure over her internal liberalization.

Efforts to obtain texts of the broadcasts from the stations and from the press agency, C.T.K., were unsuccessful. Callers were told that none were available. Later broadcasts failed to mention the foreign policy aspect of the letter.

The letter is to be published later this week in Literarny Listy, weekly of the liberal writers, it was announced on television. Its signers included one of the principal figures of the new leadership, Eduard Goldstucker, president of the Union of Writers.

DUBCEK CONFIRMS WORRIES

In his interview, Mr. Dubcek disclosed what most Czechoslovaks had uneasily suspected since the Dresden conference, but had not been told. He said that "certain worries were expressed at the meeting, mainly to the

effect that antisocialist elements would take advantage of the democratization process."

The party chief tried to calm fears by declaring that the leaders of all the bloc countries present had given accounts of the activities of their parties. The only bloc member absent was Rumania, which refuses to take part in discussions of internal affairs of other Communist countries.

A high member of the Czechoslovak Government indicated in conversation that economic pressure had been put on Czechoslovakia to restrain her internal liberalization and to hold the Soviet-bloc line in foreign policy.

Well-informed observers said that the nerves of Czechoslovaks would be tested in the days to come. So far, according to these observers, Prague has made no serious concessions to her sharpest critics, believed to be East Germany and Poland, with considerable Soviet support.

The Prague leaders were said to have scored a success at the Dresden conference by resisting a plan by the Warsaw Pact, the East European counterpart of the North Atlantic alliance, to hold military maneuvers in Czechoslovakia soon. This might have put Soviet and East German troops on Czechoslovak soil at a critical juncture.

MILITARY GAMES OPPOSED

Meanwhile, the party presidium, the highest authority in the country, pressed ahead with reform programs. A number of projected organizational changes in the state apparatus were announced today, a day after the presidium met under Mr. Dubcek.

The announcement laid stress on calling the Government "the supreme body of state power." This is a principle enunciated by all Communist countries, although in fact the party reigns supreme in each.

Three main spheres of governmental activity were: the development of the rights and freedoms of citizens; foreign policy and defense, and reform of economic management.

A number of changes in economic and financial bodies were proposed. The principal transformation is to be the creation of a coordinative Economic Council. A State Price Bureau and Ministries of Labor and Social Welfare and of Technology are envisaged.

Two major events will dominate the rest of the week. On Thursday, the Central Committee will meet to consider the new leadership program. The presidium of the National Assembly today filed Saturday as the date for the election of a new president to replace Antonin Novotny, ousted from the post last Friday.

[From the Baltimore Sun, Mar. 28, 1968]
PRAGUE TELLS CRITICAL ALLIES TO STAY OUT
OF ITS REFORM

(By Stuart S. Smith)

PRAGUE, March 27.—Czechoslovakia warned its Warsaw Pact allies today that it will not tolerate interference in its domestic democratization drive or with its new, more independent foreign policy.

Official and semi-official spokesmen specifically rejected Hungarian and East German criticism of developments here and declared that Czechoslovakia will go its own way, knowing that it is right.

Vaclav David, the Czech Foreign Minister, called in Peter Florin, the Ulbright regime's Ambassador in Prague, and delivered an official protest about the East German attacks, particularly the accusations made by Kurt Hager, the East German party secretary and Politburo member.

FEARS FOR SOCIALISM

Addressing a congress in East Berlin, Hager, the East German party ideologist, said developments in Czechoslovakia were weakening socialism and charged the Czech leaders do not understand the difference between communism and capitalism.

Hager specifically attacked Josef Smrkov-

sky, the popular Czech Forestry Minister and leading presidential candidate, charging him with collaborating with West German imperialists in a campaign to isolate East Germany.

The Czech news agency, CTK, said David told the East German Ambassador that Hager's allegations adversely "reflected on Czechoslovakia and a member of the Czechoslovak Government." David "expressed official objection" the news agency reported.

SMRKOVSKY BACKED

Simultaneously, organizations throughout Czechoslovakia rebuked Hager and came to Smrkovsky's defense.

Hager "disparaged the great cause of the Czechoslovak Communist party, the honor of the Czech and Slovak nations and the honor of Josef Smrkovsky," declared the Czechoslovak Anti-Fascist League, of which Smrkovsky is an officer. The league said that Hager had used accusations made against Smrkovsky during the Stalinist political trials which "were utter fabrications."

The Marxism-Leninism Institute of Prague University condemned Hager's attack as a "gross interference with internal Czechoslovak affairs," it commented that Smrkovsky is known here as one of the "prominent representatives of the democratization process."

"ADVICE" REJECTED

"We assure the Communists and the people of the German Democratic Republic that the people of Czechoslovakia and its bodies will elect the new president without regard to any advice from abroad . . . so that his person will represent full guarantees of further determined progress of the democratization process of our socialist system," the institute declared. The workers in Prague's Wilhelm Pieck Engineering Works wrote the East German Embassy here to remark that the Hager charges "made us indignant." Pieck was the first Communist president in East Germany.

Later in the day CTK published the results of a poll conducted before Hager's accusations were known, according to which Smrkovsky led a field of 21 candidates for the National Assembly presidential election to be held Saturday.

Amid the adverse reactions of East bloc Communist parties, L'Unita the Italian Communist party paper in a front-page editorial today endorsed the development in Czechoslovakia as a guide for the Communist movement's future.

ALLIES WARNED

Other Czech commentators warned the Warsaw Pact and Comecon allies not to push their criticism too far.

Economic and military cooperation with the Communist neighbors is "our basic orientation," noted Mlada Fronta, the youth organization newspaper. "However," it asserted, these two alliances "cannot and must not become an obstacle to changes."

Other papers this morning took up and favorably commented upon a proposal in Mlada Fronta yesterday that approaches be made to Bonn about establishing diplomatic relations. (Ital reporter Rpt Reporter commented that "There exist no unsolvable problem" between the two countries which would "tie our hands as the case is with Poland and the German Democratic Republic.")

[From the New York Times, Mar. 31, 1968]

COMMUNIST WORLD: CZECHOSLOVAK VOICES

PRAGUE.—The methodical revolution in Czechoslovakia took a long step forward last week.

After a weekend embittered by the Dresden conference last Saturday, in which Prague accepted an act of interference in its affairs by its Communist allies, the quiet revolutionaries of Czechoslovakia stiffened their

backbone and finally warned their friends to stay out.

Alexander Dubcek, the Communist party chief, dismayed many of his friends by going to a conference whose thinly-disguised sole aim it was to demand an accounting from Czechoslovakia for her thoroughgoing liberalization of life in this country.

The dismay grew with the publication of a communique last Sunday which left no doubt that the internal affairs of Czechoslovakia had been discussed by the party and Government leaders of the Warsaw Pact.

After months of Soviet lip service to the idea of noninterference by any Communist country in the affairs of another—most recently formally reiterated at the Budapest conference of Communist parties last month—Czechoslovakia had allowed just such interference.

People began to allude bitterly to Mr. Dubcek's lack of experience in foreign affairs. By Tuesday a pressure group of the most determined "progressives" among the intellectuals, including influential party leaders, had decided to admonish Mr. Dubcek to show more resolution in defending Czechoslovakia's interests and the successes of the political reform against her allies.

RESPONSIBILITY

A letter signed by 134 writers and artists was sent to the General Committee of the party. Referring to the Dresden communique, the letter made the point that, granted Czechoslovakia's obligations to the socialist camp, the leadership was responsible primarily to the people of Czechoslovakia.

The letter was followed promptly by an unprecedented interview with the Czechoslovak news agency, in which Mr. Dubcek appeared to seek to justify his actions. He conceded for the first time, however, that his allies had expressed "worries" over developments here.

This exchange alone might have been enough to bring about a hardening of Czechoslovakia's stand. But another event occurred the same evening that proved decisive. It happened in East Berlin. As a Czechoslovak put it, "You can always count on Germany to commit a stupidity when it is needed."

At a meeting of Marxist philosophers, Kurt Hager, a member of the East German Politburo, attacked the reformists in Prague, particularly one of the most influential, Josef Smrkovsky, for giving encouragement to West German efforts to wean Czechoslovakia from her allies, particularly East Germany.

The reaction in the free-wheeling Czechoslovak press and particularly on the radio, a bastion of liberalism, was instantaneous and impassioned. By Wednesday evening, Czechoslovakia had delivered a formal diplomatic protest here and in Berlin and announced it.

The act is extraordinary in relations between the "fraternal" Communist countries, which prefer to pretend publicly that no differences ever exist between them and to settle the differences between parties rather than governments.

The campaign against Professor Hager continues and is envenomed for the Czechoslovaks by the fact that the offending speech is being widely repeated in East German while no news of Czechoslovak objections has been published there.

UNSPOKEN ISSUE

More important even than the stern rejoinders to East German interference, the Hager Incident unsealed Czechoslovak lips on the great unspoken issue of the day—the attitude of the Soviet Union to events here. Without waiting for open Soviet criticism, the party newspaper Rude Pravo and other organs, as well as the radio, went over to the attack.

The Czechoslovaks accused the Soviet Union of withholding from Russians news of

the Czechoslovak reforms, thus giving the impression that it disapproved. Rude Pravo added that no matter what the Soviet Union tells about the Czechoslovak events, Czechoslovak sovereignty must be respected.

The theme of sovereignty was stressed again by Mr. Dubcek in addressing his Central Committee Thursday. The new Czechoslovak leaders assumed a defiant stance toward their disapproving allies this week, but they also made one gesture designed to reassure them.

As their President they chose yesterday an elderly general, Ludvik Svoboda, who is known for a lifetime of friendship and military comradeship with Czarist Russia and the Soviet Union. This angered the liberals, who favored a vigorous reformer like Mr. Smrkovsky over a tired military figurehead, but it may prove an important move in gaining Soviet acquiescence for what is already being called the Czechoslovak model of socialism.

[From the Washington Post, Apr. 1, 1968]

STALINISM'S VICTIMS HOLD PRAGUE RALLY

(By Anatole Shub)

PRAGUE, March 31.—The Czechoslovak revolution reached an emotional climax this morning when 3000 former political prisoners, led by former associates of democratic Presidents Thomas Masaryk and Eduard Benes, met to organize a new association to help rectify the Stalinist injustices of the past and safeguard civil liberties in the future.

The four-hour meeting took place in a hall on Slavonic Island in the middle of the Vltava River, under the banner "Let It Never Happen Again." The meeting was held with the full approval of the new Communist leaders of this country, and it closed by sending a message to the new Party secretary, Alexander team for the way in which you are restoring the dignity of human life to our people."

Col. Ladislav Bedrich, long-time friend and former deputy of new Czechoslovak President Ludvik Svoboda, told the meeting that Gen. Svoboda had accepted the presidency only on the condition that all the persecutions of the past would be set right. Svoboda means freedom in Czech, and another speaker declared in Latin: "Nomen est omen"—"The name is a sign."

The group, called Club 231, sprang up overnight. It bears the number of the so-called Law for the Defense of the Republic—an Austro-Hungarian regulation dating from 1848—under which an estimated 70,000 persons were jailed over the last 20 years on charges of subversion, espionage and treason.

The group was formed last Tuesday night with the aim of influencing the new rehabilitation laws to be adopted soon and of assuring firm guarantees of individual liberties in the new constitution being planned. The very next afternoon the organizers received approval "with no political conditions" from a deputy secretary of the Communist Party Central Committee and a meeting permit from the deputy minister of the interior.

Acting president of Club 231 is Prof. Karel Nigrin, 64, a Socialist who had been imprisoned on treason charges for 14 years, including eight years in solitary confinement.

Other leaders include Dr. Vaclav Palecek, postwar head of the Czech Mission to the Allied Control Commission in Berlin; Frantisek Trzilek, Czechoslovakia's attorney general just after the war; and Zdenek Peska, who was imprisoned for having resisted the forced merger of his Social Democratic Party with the Communists in 1948.

The organization will be open to all former prisoners regardless of party, nationality or religion. Dr. Palecek told newsmen that "we don't want to make any trouble for the Party or the government. We have started

this organization to help the authorities. Our club has nothing in common with a political opposition."

This morning's meeting was obviously a reunion by former inmates who had not seen one another in years. It was a meeting filled with applause, spontaneous suggestions from the floor, and voices often choked with tears. Apart from the leaders, who spoke only from notes, 184 others asked to speak, but time prevented more than a score from mounting the rostrum. These were some of the highlights:

A letter was read from Prof. Eduard Goldsteucker, a Communist jailed in the Slansky trials and now chairman of the Writers Union. He noted that society could give a former prisoner freedom, civic rights and a job but "cannot ever completely eradicate the scars left on his dignity."

A scientist, calling for the institution of a powerful autonomous constitutional court, said that "the new people in the leadership of the Communist Party have recognized that the violation and neglect of democracy has brought Socialism far more harm and damage than profit—and not only damage to individual human dignity, but even in the purely economic field."

A physician told how he had been sentenced to death by the Gestapo just before the war ended, then jailed for 12 years under Stalinism—in both cases because of his friendship with the late President Benes. In the Stalinist jail, he was told: "We are sick of you. You are professional resisters and we must liquidate you first."

A young lady announced herself as secretary of a League for Human Rights, which had just been formed in the last few days, and invited membership.

A factory worker described resistance among workers to Stalinist labor codes. In the concentration camps, they were told: "You have come here to die, and your wives and daughters will become prostitutes." Some of the officials involved in these repressions, he said, are still in office.

A young layman spoke on behalf of the Catholic Church. He called for abolition of all restrictions on religious belief and urged (to thunderous applause) the return to Prague of exiled Josef Cardinal Beran, now in Rome.

The meeting observed a moment of silence for Milada Horackova, a close associate of Benes, who in 1949 was the only woman ever to be hanged on political charges. A requiem mass will be held later this week in Prague Cathedral for all those who perished in the concentration camps.

JUDGE PROBING PURGES DISAPPEARS IN PRAGUE

PRAGUE, March 31.—The deputy president of the Czechoslovak Supreme Court, who was charged with investigating the Stalinist purge trials of the 1950s, has disappeared.

Prague newspapers disclosed today that Josef Brestansky, 43, had been missing since 10:30 a.m. on Thursday, when he left his office to go to an important Communist Party meeting at the Ministry of Justice.

Brestansky had given a news conference earlier this week in which he had strongly condemned the distortions of justice in the Stalinist period.

There was speculation that he may have become the victim of persons connected with the distortions who were afraid he would disclose their complicity.

[In Rome, the Italian Communist Party newspaper *L'Unita* quoted Dubcek as saying in an interview that the new Czech regime plans to create "a situation in which the government really governs and parliament is a real legislative organ vested with an effective right to control the government and its ministries." UPI reported. Dubcek said the Communist Party's role would be to discuss problems so that it can "influence the solutions and decisions of state organs."]

[From the Christian Science Monitor, Apr. 23, 1968]

CZECH LIBERALISM EXPANDS

(By Eric Bourne)

PRAGUE.—The new democratization is getting under way. Last week it elected a "progressive"—a prisoner in the Stalinist purges of the '50's—to lead Parliament.

Over the weekend regional party conferences throughout the country debated policy and practice in an open way which showed that the old wraps on criticism are indeed off.

Even the new party leader, Alexander Dubcek, the choice of the reform movement, came under criticism. And the critics' views were at once conveyed to the public by radio and other news media.

Czechoslovaks had not experienced this kind of frank, open debate and reporting or the disclosure of differing views among their leaders for 20 years.

Inevitably, after the exhilarating first weeks of the great liberalization breakthrough, there has been a slowing down.

And equally inevitable, the more out-and-out reformers are beginning to express impatience with what they regard as a loss of momentum tantamount to concessions to their own centrists who, they claim, can but comfort and encourage the remaining conservatives. The latter have been removed both from the party's top leadership—the Presidium—and from the new government.

PROGRESSIVE CHOSEN

Additionally, the old guard Communist who was president of Parliament in the Novotny regime has been replaced by the most popular and one of the most impressive and outspoken of the party progressives, Josef Smrkovsky.

He was the first parliamentary chairman since 1948 to be elected by secret ballot.

But the conservatives are still in considerable strength, both as delegates to Parliament—as the 68 votes against the 108 cast for Mr. Smrkovsky showed—and in the party's 110-man Central Committee.

After the January session that opened the door to the present liberalization the committee's statutory role as the supreme policy-making organ of the party was restored to it.

Under the old regime it was only a rubber stamp for decisions by the Presidium, which now is restricted principally to an executive body.

It is the continued presence of approximately 30 supporters of the deposed leader, Antonin Novotny, on the Central Committee which is producing some strongly argued disagreements among his successors.

In one of the weekend meetings a critic with this in mind charged Mr. Dubcek with taking "only small steps" to implement the democratization program. The present pace of events, he said, lacked the dynamism necessary to attract and satisfy youth.

This speaker and others repeated the call for an extraordinary Communist Party Congress at an early date.

Parliamentary elections are due in the fall, and—quite apart from the promised competition of candidates—the intention then is to eliminate the Novotny hard-liners from candidatures and replace them with firmly committed reformers.

The reformers want the special Congress also before the end of the year—instead of in 1971 as scheduled—in order to purge the Central Committee in a similar war.

The most Mr. Dubcek has conceded so far is that the normal Congress should be advanced as much as possible consistent with adequate preparation. This would possibly put it sometime within the first half of next year. For many among his supporters anxious for speedier consolidation of the reform takeover, this is not soon enough.

Over the weekend, however, Mr. Dubcek again counseled patience and suggested in effect that Rome was not built in a day.

PARTY SPONSORSHIP FAVORED

The new Prime Minister, Oldrich Cernik, echoed him and keynoted a "complete change" in the economic system as the first priority if Czechoslovakia is to emerge from its present ills.

Significantly, Mr. Dubcek also insisted that democracy must come "through the Communist Party" and not through the creation of other parties or an opposition.

This reflects the anxiety of a reform minded party leader who also, however, takes an orthodox view of party role and leadership. He has thus a dual anxiety that democratization might go ahead too fast and too far at the risk of arousing outside as well as internal pressures.

But before that and before any special Congress will come a crucial item of business mentioned by Mr. Smrkovsky, whom many see as the key guarantor of the Czechoslovak reform.

Parliament's first task, he said, will be to enact new press law to give legislative backing to the new freedom of information already in action.

Just how it does it and how the new leadership and the country face up to the obvious economic priorities are seen by many as the first essential pointers to the Czechoslovak future.

[From the Baltimore Sun, Apr. 24, 1968]

CZECHS REJECT KREMLIN POLICY—PARTY ASSETS INDEPENDENCE IN FOREIGN AFFAIRS

(By Stuart S. Smith)

PRAGUE, April 23.—Czechoslovakia today announced its first significant break with Soviet foreign policy dictation. The step puts the Kremlin on public notice that Prague indeed intends to go its own way in external as well as internal affairs.

In an editorial welcoming the arrival here of Todor Zhivkov, the Bulgarian Premier and Communist party chief, *Rude Pravo*, the official Czechoslovak party newspaper, categorically rejected "compulsory foreign political conformism," declaring: "The revival of socialism in our country is in fact a fight for truth in our entire life, both in domestic and foreign policy."

More concretely, however, the paper said that in the "first international act of our new Government," Czechoslovakia will sign a completely different type of treaty with Bulgaria.

CHANGES OVER 20 YEARS

Twenty years ago, most of Eastern Europe's Communist countries signed Moscow-designed agreements of friendship, cooperation and mutual assistance. They all contained harshly worded references to alleged German imperialism, German war mongering and German aggression.

In the subsequent two decades, *Rude Pravo* noted, many changes have occurred in the "international situation." Thus, instead of renewing the Bulgarian-Czechoslovak treaty, "both countries have decided to completely renovate the treaty text [and] to sign a new one which will take into consideration all the new facts."

Although Czechoslovakia's "basic orientation" is toward the Communist countries, *Rude Pravo* said, this "does not eliminate initiative and our own attitudes." Nor it continued, does this prevent independent Czechoslovak steps "in international organizations or in relations with non-Socialist countries, especially our neighbors."

ROMANIAN-SOVIET TALKS

Last fall, Romania and the Soviet Union broke off negotiations over renewing their bilateral treaty of friendship, cooperation and mutual assistance after Bucharest reportedly demanded but failed to get an

agreement that the same anti-German remarks be dropped. Romania and East Germany have also failed to renew a similar bilateral agreement.

Like Romania, which Rude Pravo specifically supported last Sunday, the new Cernik Government in Prague is now no longer prepared to accept Soviet advice on how to run its foreign office.

The newspaper also thanked Zhivkov for his state and party visit during this "time of stormy internal changes in Czechoslovak society," interpreting it "as an expression of confidence in our program."

[From the New York Times, Apr. 30, 1968]
SOVIET WHEAT AID TO CZECHS HALTED—
MOSCOW SAYS IT IS SHORT OF GRAIN, BUT
PRAGUE SEES EVIDENCE OF PRESSURE

(By David Binder)

PRAGUE, April 29.—Amid rising domestic turmoil, a fresh element of anti-Soviet sentiment entered the Czechoslovak political scene today.

The feeling against the Soviet Union is being stirred by Moscow's decision to suspend wheat shipments to Czechoslovakia and by revelations that Stalin ordered the bloody 1951-52 purges of Czechoslovak party leaders.

According to authoritative sources, the Soviet Government recently advised the Czechoslovak leadership that it did not have sufficient wheat to export. Czechoslovakia has imported Soviet wheat regularly for two decades.

The prevailing opinion in the leadership is that the cutoff represents the first clear sign of Soviet economic pressure since Alexander Dubcek took charge of the party last January.

REPERCUSSIONS EXPECTED

It is understood that Czechoslovakia is negotiating with Canada for wheat to replace the Soviet imports.

Czechoslovak party sources said the disclosure of Soviet direction of the purges of the early nineteen-fifties could cause new pressure from Moscow. They noted that the Soviet role had been disclosed by Karol Bacilek, former Minister of National Security and a self-styled Stalinist, in an interview with Smena, a Slovak newspaper.

"He undoubtedly intended to stir trouble," said a Slovak Communist, "knowing that anti-Soviet sentiment is higher in Slovakia than in the Czech lands."

The morning papers in Prague cautiously avoided the interview with Mr. Bacilek, although it was available to them from C.T.K., the national press service. Mr. Dubcek and his associates have taken pains to stress friendship with the Soviet Union repeatedly in the last four months.

Yet they have come under increasing public pressure since March on this and other policies.

The first evidence of anti-Soviet feelings emerged in the assertions by several retired officials and Communist editors that Dr. Jan Masaryk, the first postwar Foreign Minister, was murdered by Stalin's secret police in 1948.

At the moment controversy over Dr. Masaryk's death has subsided while attention to the Soviet role in the purges is sharpening.

The widow of Rudolf Slansky, the executed party leader, indicated in a memoir published in Literarni Listy, a literary newspaper, that Anastas Mikoyan, then a close Stalin associate arrived secretly in Prague about Nov. 23, 1951, to visit President Klement Gottwald with Stalin's purge orders.

It was Mr. Gottwald's birthday, but he declined to receive Mr. Slansky's congratulations, pleading illness. That night Mr. Slansky was arrested, his widow recalled.

Mr. Mikoyan's visit to Mr. Gottwald, al-

legedly with Stalin's orders, was also mentioned by Mr. Bacilek in his interview.

A sense of turbulence here is heightened by almost daily reports of politically motivated suicides.

On Saturday it was announced that Dr. Josef Sommer, former physician in the Ruzyně jail, where many political prisoners were detained, had hanged himself in his apartment. Yesterday a Czech factory director was found dead. Today the press agency reported that Lieut. Col. Jiri Podcepický, chief investigator of the Prague police, had hanged himself.

A knowledgeable Prague journalist said 26 suicides had occurred among members of the secret police during the last month. Virtually all connected with press disclosures of torture and executions during the Stalinist period.

Meanwhile, there is evidence that the moderate leadership around Mr. Dubcek is under intense pressure from at least three domestic quarters.

Many of his fellow Slovak Communists joined today in demanding that the government move without delay for federalization of Czechoslovakia, splitting state and party authority between Czechs and Slovaks.

At the same time, elements of Czech party organizations are demanding an extraordinary party congress immediately to oust about 40 Old Guard representatives from the 110-member Central Committee. Mr. Dubcek says he does not want to rush into a party congress and is being supported on this by Slovak Communist organizations.

Finally, Mr. Dubcek has come under pressure from extreme liberal Communists and from nonparty elements to legitimize a real opposition party. Some of the extremists are demanding that the Communist party be divided into a conservative party and a progressive party.

[From the Washington (D.C.) Post,
July 15, 1965]

RED SUMMIT BEGINS TALKS ON CZECHS

WARSAW, July 14.—The leaders of the Soviet Union and four of its East European allies met here today, apparently to discuss once again the new liberalism of Czechoslovakia.

The first session took place in the building of the Council of Ministers. PAP, the official Polish news agency, said "deliberations continue." This suggested that the talks would resume Monday.

The Soviet delegation included Communist Party leader Brezhnev, Premier Kosygin and President Podgorny. Brezhnev and Podgorny arrived by train yesterday, while Kosygin flew here today after returning to Moscow from an official visit to Sweden.

Present also were Party and government delegations from Bulgaria, East Germany, Hungary and Poland. Observers noted that the combination of Party and government leaders gave the conference the widest possible scope of action. Decisions involving the Warsaw Pact, for example, would require the approval of governments rather than parties.

There was no announcement of what was said in the meeting or even what the agenda was.

But the absence of Czechoslovakia and Rumania—which refuses to discuss internal developments of other socialist countries—indicated that the Prague reforms were the main topic.

Moreover, the Soviet Union suggested last week that a summit be held in Warsaw to discuss the situation in Czechoslovakia. The reforms have granted such rights as freedom of the press, freedom to travel abroad and the rehabilitation of the victims of Stalinism. The five countries that were meeting here met in Dresden, East Germany, in March and in Moscow in May to discuss these same innovations.

The Prague government declined to attend the Warsaw meeting. Instead, it invited the leaders of the other countries of Eastern Europe to make separate trips to Czechoslovakia. This invitation was refused.

[But Tanjug, the official Yugoslav news agency, reported in a dispatch from Prague Sunday that Alexander Dubcek, the new chief of the Czechoslovak Party, had met Saturday with Janos Kadar, the leader of the Hungarian Party. The meeting was said to have taken place on the Czechoslovak-Hungarian border. Observers noted that Kadar and Dubcek are said to be close friends and that there have been reports that Kadar spoke up for Dubcek at the Moscow summit.]

Poland reiterated its views on Czechoslovakia as the conference here was opening. An editorial in Trybuna Ludu, the organ of the Polish Communist Party, claimed there were voices in Prague apparently wanting "to break alliances with the Socialist countries, to lead Czechoslovakia out of the Warsaw Pact and to neutralize our southern neighbor."

"A definite rebuff to the reactionary forces and imperialist maneuvers in Czechoslovakia lies in the best interests of all fraternal countries."

The newspaper went on to say that Poland "paid too great a contribution in lives in defeating Germany in World War II to 'look unconcerned' at Czechoslovakia."

"The barrier created by Poland, East Germany, Czechoslovakia and other Warsaw Pact countries in alliance with the Soviet Union against the attempts of the West German revanchists and their allies cannot be weakened at any place," Trybuna Ludu said.

The gathering, in addition to the Soviets, included Communist Party leader Wladyslaw Gomułka, Premier Josef Cyrankiewicz and President Marian Spychalski of Poland; Communist Party leader and chief of state Walter Ulbricht and Premier Willi Stoph of East Germany; Party chief and Premier Todor Zhivkov and Deputy Premier Penczo Kubadiniski of Bulgaria; and Communist Party leader Janos Kadar and Premier Jeno Fock of Hungary, PAP announced.

[In Prague, newspapers said the withdrawal of Soviet troops from the country was continuing on schedule. Their presence two weeks after the end of scheduled Warsaw Pact maneuvers created great uneasiness in Czechoslovakia. The pullout began Saturday and is scheduled to be completed Tuesday. But Prague Television reported Sunday night that the movement had been delayed due to heavy weekend traffic.]

TITO SAYS HE DOUBTS SOVIETS WILL USE FORCE

BELGRADE, July 14.—President Tito said in an interview published here today that he did not believe anybody in the Soviet Union would be so "shortsighted" as to use force to halt the liberalization movement in Czechoslovakia.

Tito, the first Communist leader to break with Moscow in the late 1940s, made the statement in an interview with the Cairo newspaper Al Ahram.

He also said Czechoslovakia—and Yugoslavia—are strong enough to resist by themselves any threat to their political systems from the West.

AMENDMENT OF RENEGOTIATION ACT OF 1951—AMENDMENTS

AMENDMENT NO. 881

Mr. YOUNG of Ohio submitted amendments, intended to be proposed by him, to the bill (H.R. 17324) to extend and amend the Renegotiation Act of 1951, which were ordered to lie on the table and to be printed.

AMENDMENT OF AGRICULTURAL ACT OF 1968—AMENDMENTS

AMENDMENT NO. 882

Mr. MONRONEY submitted an amendment, intended to be proposed by him, to the bill (S. 3590) to extend and improve legislation for maintaining farm income, stabilizing prices, and assuring adequate supplies of agricultural commodities, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 883

Mr. WILLIAMS of New Jersey submitted an amendment, intended to be proposed by him, to Senate bill 3590, supra, which was ordered to lie on the table and to be printed.

EXTENSION OF CERTAIN EXPIRING PROVISIONS UNDER THE MANPOWER DEVELOPMENT AND TRAINING ACT OF 1962—AMENDMENT

AMENDMENT NO. 884

Mr. MURPHY. Mr. President, I take the floor today to discuss a most important matter. Since the subject involves Federal-State relations and programs to aid the disadvantaged, I hope that all of my colleagues will study this tragic narrative of a Federal department's efforts to thwart a creative, completely bipartisan State effort to make the various manpower and job-training programs more effective and better able to serve the disadvantaged.

Mr. President, we know that the problems facing the Nation are many, and that if we are to be successful in solving them, the cooperation of all is needed. This means that all levels of government, Federal, State, and local, as well as private industry and private individuals must pull together.

I am sure that Members of this body will be just as shocked as I over the highhanded manner in which the Labor Department of the U.S. Government dealt with the State of California. My colleagues will wonder, as I have, why the Labor Department has not been "pulling with" instead of "pulling against" the State's efforts.

The background in this matter is as follows: In California, after considerable study of manpower and training efforts, it was determined that because of the categorical nature of the various Federal and State efforts in this field, the programs were not being as effective as they could and should be and that serious "gaps" existed in present efforts that needed to be filled. To improve on the situation, a package of six bipartisan bills have been introduced in the California State Legislature. I want to emphasize the bipartisan nature of this effort. Some suggested that it is a miracle that the parties, in an election year, were able to get together in the State and come up with a bipartisan approach to attack California's problems. I am pleased, however, that the members of the State legislature have put the public interest above any partisan issues. The effort is strongly supported by Governor Reagan and Lieutenant Governor Finch, and it is also strongly endorsed by the Democratic speaker of the California As-

sembly, Jess Unruh, as well as the minority leader in the assembly, Hon. Robert Monagan.

One of the bills, assembly bill 1463, which was introduced by Speaker Unruh, would create a new State department of human resources development to coordinate the programs aimed at the disadvantaged within the State. The State hopes to provide the hardcore unemployed with "an unbroken sequence of services from intake through placement on a job and periodic follow-up and evaluation," so that we will know exactly what is being done and what progress is being made.

California hopes to make the focus the individual and tailor programs to fit the individual for employment, rather than force an individual into a program. In other words, California hopes to personalize the programs so they serve the needs of the individual, rather than force the individual to conform to the programs. To do this, a new civil servant, a "job agent," would be created and assigned the task of securing the necessary training and supportive services needed by his disadvantaged unemployed client, in order to make him employable. To accomplish this, a State needs a little flexibility in the use of highly categorical Federal aid funds.

Mr. President, assembly bill 1463 was introduced on May 23 and since that time the State of California through numerous communications and personal meetings both here in Washington and in the State has attempted to work out any Federal problems that might impede the State effort. As a result, modifications were made in the California legislation to overcome Washington's objections. All seemed well. That is, until Mr. Robert C. Goodwin, Administrator of the Federal Bureau of Employment Security, came to California on July 3 to testify on the California proposals.

Unbelievably, this Federal bureaucrat in 17 pages of nearly irrelevant testimony, commented not on the bill as had been modified through conferences with his own Department but on the bill as it had been introduced originally on May 23.

In other words, Mr. President, it was as though these meetings between the Federal Government and the State government had never taken place. This is often the case. It is one of the reasons why I object to such a great expansion in bureaucracy. Sometimes the needs and wishes of Congress and the people get lost.

Clinging to the powers of the purse, Washington officialdom refuses to loosen the reins and strings the least bit to allow States greater flexibility and freedom. In effect, Mr. Goodwin's testimony threatened California with a loss of over \$600 million in Federal funds if a State dared to be imaginative, at least imaginative in a manner that differed from the Labor Department's.

Speaker Unruh said of the performance of this Federal agency:

The action of this bureaucratic agency—apparently backed by the Johnson Adminis-

tration in Washington—in opposing this creative effort to do something concrete about hardcore unemployment in California—indicates the true attitude of the federal government concerning so-called 'creative federalism.'

The speaker continued:

Several years ago the President coined a phrase 'creative federalism' to refine this new effort on the part of the national government to cooperate with state and local governments rather than to force programs down state and local throats. It now appears that the bureaucrats in the Labor Department believe that 'creative federalism' is nothing more than dictation to the states by the federal government.

I understand that subsequent to the California hearings, this Mr. Goodwin indicated that this was done "on orders from Washington."

Lt. Gov. Bob Finch and minority assembly leader Bob Monagan, in separate letters to Secretary Wirtz, urged the Secretary to reconsider the Department's opposition to this California bipartisan effort.

Lieutenant Governor Finch in his letter said:

We had expected the federal government would be anxious to cooperate and I was dismayed to learn your representatives had used specious arguments and implied threats to oppose a central feature of this legislative package.

Assemblyman Monagan indicated to the Secretary that California would continue to try to cooperate, but warned:

If, however, you choose to obstruct our efforts, we may continue to be frustrated by bureaucratic waste and inefficiency, and our disadvantaged citizens will suffer the consequences.

Mr. President, I join Lieutenant Governor Finch, Speaker Unruh, and Assemblyman Monagan in urging the Labor Department to reconsider its position in this matter.

California wants to cooperate, but it is difficult when Federal officials act in such a breach of faith, or, as Speaker Unruh said in his letter to Secretary Wirtz, "in violation of common rules of courtesy and previous agreements which they had made." In all fairness, Mr. President, I will say that some Labor Department officials have been very cooperative and have recognized the great merit of the California approach. This makes this intergovernmental relations nightmare even worse, and raises the question, Who really speaks for the Department of Labor? I do hope that Secretary Wirtz will see to it that California can rely on the words of Labor Department officials with whom they deal and that the Department will speak with one voice.

Mr. President, today I am introducing an amendment to S. 2938, which would add a new title IV, "Supplementary State Programs." This amendment is designed to provide California and other States with a method to achieve greater flexibility in dealing with manpower training programs. The amendment authorizes a 2-year program of grants to the States with the Federal Government providing not to exceed 75 percent of the cost of the State's supplemental efforts and activities. A State wishing to par-

ticipate in this new program would have to demonstrate that Federal manpower and related programs seeking to move disadvantaged persons into employment could be facilitated by supplemental State efforts and activities.

Mr. President, we hear a great deal of criticism of the States and certainly some of it is valid. But this criticism of the States should not make us blind to their many constructive and pioneering efforts and accomplishments. California has been just such a State and has been the pathfinder and pacesetter in many problem areas finding workable solutions that other States—and, yes, even the Federal Government—have applauded and copied. California's efforts in air pollution come readily to mind.

So, Mr. President, I think it is clear that this Nation's brainpower does not reside solely in Washington. In fact, in all of our States, we find just as capable intelligent citizens as those employed in Washington, and they have an added advantage of being intimately familiar with the local problems and are able to be more responsive to the peculiar needs of the area.

The philosophy of our forefathers, and indeed of our Constitution, that our government should be kept as close to the people as possible is a good and a wise one. If our federal system is going to remain viable, we must continue to encourage States to initiate and experiment, as laboratories of democracy with various approaches. That a constructive State effort is thwarted and frustrated by an administration which talks of "creative federalism" but is unwilling to allow a State to be creative seems as contradictory as the actions of Labor Department officials in opposing California in this matter.

Mr. President, I would like to ask unanimous consent that the press release of Speaker Unruh and the joint press release issued by Lieutenant Governor Finch and Assemblyman Monagan criticizing the Labor Department's handling and its lack of cooperation in connection with assembly bill 1463 be printed in full at this point in my remarks. In addition, I ask unanimous consent that letters written by them to the Secretary also be printed in full. I believe one additional item important enough to be included, and Mr. President, I ask unanimous consent that a summary of the bipartisan package of bills be printed in full in the RECORD.

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

[News release from the office of Jesse M. Unruh, speaker of the assembly, July 3, 1968]

Assembly Speaker Jesse M. Unruh today described as "deplorable" the action of the U.S. Department of Labor in vigorously opposing the bipartisan package of bills before the California Legislature aimed at solving California's hard-core unemployment problems. The federal agency opposed the bills, particularly Unruh's A. B. 1463, at a Senate Committee hearing earlier today.

"The action of this bureaucratic agency—apparently backed by the Johnson Administration in Washington—in opposing this creative effort to do something concrete about hard-core unemployment in California indicates the true attitude of the federal

government concerning so-called 'creative federalism'," Unruh said.

"For years we have heard from various federal officials and from President Johnson himself that the national government stands ready to work with a state which desires to innovate and create bold new programs to solve major ills in our society.

"Several years ago the President coined the phrase 'creative federalism' to define this new effort on the part of the national government to cooperate with state and local governments, rather than to force programs down state and local throats.

"It now appears that the bureaucrats in the Department of Labor believe that 'creative federalism' is nothing more than dictation to the states by the federal government.

"Despite the fact that the California legislative staff spent countless hours with federal officials in an attempt to solve the problems in the legislation which raised issues of conformity with federal law, and despite the fact that this bill had been amended extensively three times since May 23, the federal spokesman at today's hearing submitted 17 pages of testimony directed to the bill of May 23.

"This was done in clear and open violation of an agreement reached by my staff and the regional director of the Labor Department in San Francisco, Kenneth Robertson, that the federal testimony today would be directed to the bill as we had amended it to solve most of the federal government's problems.

"After the Senate hearing I was informed that the federal spokesman, Robert C. Goodwin, Administrator of the Federal Bureau of Employment Security, stated that this was done 'on orders from Washington', evidently in order to kill this state legislation.

"I have faith that the Senate Government Efficiency Committee will see through this shameful attempt by the federal executive branch to write the laws of the State of California, and will approve this package of six bills which is endorsed now by Assembly Minority Leader Robert Monagan, Governor Reagan and myself.

"In the meantime," said Unruh, "I sincerely hope the federal government will re-examine its opposition to A.B. 1463, which is now based solely upon a sense of pride by individual civil servants in the U.S. Labor Department who feel disgruntled because a state had the temerity to develop a good idea before they did.

"I suggest to President Johnson that if he truly believes in 'creative federalism' as a two-way street for cooperation between the states and the federal government, he examine closely the actions which his overly bureaucratized Department of Labor is taking in this instance."

The entire package of six bills by Republican and Democratic authors was taken under submission today by the Senate Committee on Government Efficiency, pending appointment of a subcommittee of that body which will study the legislation more closely.

[News release from the Offices of Lt. Gov. Robert Finch and Assemblyman Bob Monagan, July 10, 1968]

Republican leaders have urged Secretary of Labor W. Willard Wirtz to reconsider his opposition to a bipartisan job training and development program, and—in the words of Lieutenant Governor Robert Finch—"to remove the specter of a threatened loss of federal funds."

In separate letters to the secretary, made public this afternoon, Finch and Assembly Minority Leader Bob Monagan criticized testimony by a Department of Labor spokesman before the Senate Governmental Efficiency Committee.

Robert C. Goodwin, Chief of the Bureau of Employment Security, told the Committee that passage of AB 1463 (Unruh) could result in the loss to California of over \$600 million in federal employment and man-

power training funds. He said the funds would be cut if Secretary Wirtz decided that provisions of the bill were not in conformity with federal law.

Monagan, in his letter to the secretary, noted that this was an "observation that sounded very much like a threat", notwithstanding the fact that the bill had already been amended to remove any question of non-conformity until July 1, 1969.

"We had expected the federal government would be anxious to cooperate," said Finch, "and I was dismayed to learn your representatives had used specious arguments and implied threats to oppose a central feature of this legislative package."

Monagan also expressed anger at Goodwin's complaint about the organization of the Department of Human Resources Development, which would be created by AB 1463. Goodwin said a conformity issue could be raised because federal officials would have to deal with two separate units in the employment field.

But these units, according to Monagan, would in fact be administered under the new central department. "This attempt to regulate the details of state governmental organization is improper and unjustified," the GOP lawmaker said.

Finch stated that "California has developed a unique and highly imaginative approach to reducing massive unemployment now prevalent in disadvantaged urban areas and we are asking you to join us in implementing the necessary administrative reforms and supplementary programs."

Monagan said that, despite the Labor Department's initial attitude, sponsors of the job training and development package would still be willing to discuss any suggestions by Wirtz, but warned:

"If, however, you choose to obstruct our efforts we may continue to be frustrated by bureaucratic waste and inefficiency, and our disadvantaged citizens will suffer the consequences."

ASSEMBLY, CALIFORNIA LEGISLATURE,
Sacramento, Calif., July 3, 1968.

HON. WILLARD WIRTZ,
Secretary of Labor,
Washington, D.C.

DEAR SECRETARY WIRTZ: I am writing to inform you of actions your subordinates in the Department of Labor have taken with regard to legislation I have introduced in the California Legislature to make substantial and, in our view, beneficial changes in the delivery systems by which California provides manpower, training and employment services to eligible unemployed clients. In my view and that of a substantial number of members of both the legislative and executive branches of California government from both political parties, your representatives violated common rules of courtesy and previous agreements which they had made with my staff in registering the Department of Labor's official opposition to this legislation at a State Senate committee hearing on July 3.

After receiving a telegram from Assistant Secretary Stanley Ruttenberg on June 13 regarding elements of our state legislation which were out of conformity, in his opinion, with federal law and regulations, we met with Mr. Ruttenberg and his staff in Washington and later with your Department's personnel here in Sacramento. On the basis of these meetings three sets of extensive amendments were adopted to the bill, Assembly Bill 1463, designed specifically to fit the state legislation as nearly as possible to federal requirements. Nevertheless, Mr. Robert C. Goodwin of your Department appeared on July 3 before our legislative committee and stated points of opposition based on the original version of the bill, in total disregard of the changes which we had made in the bill with federal advice and support.

Since the Department of Labor's regional representative in San Francisco, Kenneth Robertson, has informed us that the Department has a policy of neither supporting nor opposing state legislation, I find your agency's actions in this regard difficult to fathom. May I respectfully request that you inform your subordinates that creative federalism must seep down to the lowest bureaucratic ranks if it is to become a truly effective change in the policy of the federal government.

I stand ready to cooperate with U.S. Department of Labor officials who wish to discuss our legislation at any time, provided those officials are capable of keeping their word and of honoring their previous commitments.

I have written President Johnson regarding this incident, and I am enclosing a copy of a statement regarding the occurrence which I have issued to the press.

Sincerely,

JESSE M. UNRUH,
Speaker of the Assembly.

STATE OF CALIFORNIA,
LIEUTENANT GOVERNOR'S OFFICE,
Sacramento, July 9, 1968.

HON. W. WILLARD WIRTZ,
Secretary of Labor,
Washington, D.C.

DEAR MR. SECRETARY: California has developed a unique and highly imaginative approach to reducing unemployment in disadvantaged urban areas, and we are asking your cooperation in implementing the necessary administrative reforms and supplementary programs.

This new approach legislation is embodied in a package of six bills, sponsored by legislators from both political parties, which is currently being considered by the California Senate Government Efficiency Committee. We had expected the federal government would be anxious to cooperate and I was dismayed to learn your representatives had used specious arguments and implied threats to oppose a central feature in this legislative package.

I was especially disturbed by the testimony of Mr. Robert C. Goodwin who told the committee that, should AB 1463 be approved, you might use discretionary powers to withhold over \$600 million training and employment funds now allotted to this state. This was viewed as an affront to California legislative leaders, and I would strongly urge you to remove the spectre of a threatened loss of federal funds.

Moreover, I would request that you re-evaluate objections which were apparently based on an earlier version of the bill. You should be advised, for example, that the bill was amended prior to the July 3 hearing to make any provision which does not conform with federal law inoperative until July 1, 1969.

As Chairman of the California Job Training and Placement Council, I have devoted considerable time to a thorough review and evaluation of federal and state manpower programs. On the basis of our studies I have concluded there is an urgent need for a central state agency to coordinate the multiplicity of programs in this field. At the present time we are losing much of the potential impact of these programs by relying on a scatter-gun approach. This has resulted in duplicated and incomplete services.

AB 1463 would help us to overcome these deficiencies and, along with other measures in the job training and development package, to complement and expand the scope of current programs. We would greatly appreciate your assistance in achieving these objectives.

Sincerely yours,

ROBERT H. FINCH,
Lieutenant Governor.

ASSEMBLY, CALIFORNIA LEGISLATURE,

July 9, 1968.

HON. W. WILLARD WIRTZ,
Secretary of Labor,
Washington, D.C.

MY DEAR MR. SECRETARY: Your decision to oppose a key feature of the job training and development program now before the California Senate was a great disappointment, and one which I hope you will reconsider.

This legislative package, which is sponsored jointly by leaders in both political parties, represents a positive alternative to the fragmented federal and state programs aimed at meeting the needs of the chronically unemployed. Therefore, I strongly urge you to join us in an experiment that will almost certainly benefit other states interested in alleviating duplication and improving services in this field.

In regard to the July 3rd testimony by Mr. Robert C. Goodwin, Chief of the Bureau of Employment Security, it was strangely irrelevant to the legislation he opposed. After consultation with your department the author of the bill in question, Assembly Speaker Jesse Unruh, agreed to amendments designed to meet objections raised by your representatives. These amendments had been adopted prior to the hearing before the Senate Committee on Government Efficiency.

Mr. Goodwin, however, testified against the bill in its original form, and thereby violated an agreement to comment only on the amended version. He stated that provisions of the bill which failed to conform with federal law could result in the loss to California of our \$600 million in federal funds, an observation that sounded very much like a threat. And yet language had already been added to make any provision which did not conform inoperative until July 1, 1969. Mr. Goodwin also objected to the creation of a separate Division of Job Training and Development within the proposed State Department of Human Resources Development on grounds that federal officials would have to deal with both this division and the existing State Department of Employment. He ignored the fact that these units would become part of the same single state agency dealing with the federal government. This attempt to regulate details of state governmental organization is improper and unjustified.

In view of our willingness to work with the federal government, and the fact that we met major objections raised by your representatives in advance of the July 3rd hearing I find it hard to understand your opposition. We are, however, still willing to discuss any additional suggestions you may have. With your cooperation and encouragement California can revitalize manpower development and mobilize additional support in the private sector. If, however, you choose to obstruct our efforts we may continue to be frustrated by bureaucratic waste and inefficiency, and our disadvantaged citizens will suffer the consequences.

Sincerely,

BOB MONAGAN.

SUMMARY OF BILLS—BIPARTISAN EMPLOYMENT AND BUSINESS DEVELOPMENT PACKAGE

CREATION OF A DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT (AB 1463—UNRUH)

This measure fixes responsibility for the delivery of services to the chronically unemployed, by establishing a single agency (the Department of Human Resources Development) to provide a full-range of needed services of the hard-core unemployed on an individualized basis.

The bill creates a new kind of civil servant—a "job agent"—who is held responsible for getting the necessary services to each client and following through until his client

is on a job. The job agent develops a "plan" for each client and a timetable for providing those services. He may contract with public or private agencies in providing these services, be they education or vocational training, medical services or housing for the client.

The measure consolidates a number of existing state agencies dealing with employment and poverty problems into the new agency, including the Multi-Service Center program, the State Anti-Poverty Office, the Division of Apprenticeship Standards and the Manpower Development and Training Branch of the Department of Employment. The several scattered funds supporting these programs are consolidated within one "Manpower Development Fund", to be administered by the new agency.

The bill designates target areas within the State with the most serious unemployment problems and requires the departments to focus its prime attention on those areas and their unemployed residents.

ELIMINATION OF DISCRIMINATION IN APPRENTICESHIP PROGRAMS (AB 1464—RALPH)

This bill requires the Joint Apprenticeship Committee to submit to the Apprenticeship Council, in writing, all factors determining selection of applicants for the programs, and the relative weights to be given to each of these factors. Reasons for rejection of any applicant must be submitted in writing to the rejected applicants. Investigatory authority to look into complaints of discrimination in selection is moved from the Division of Apprenticeship Standards to the Fair Employment Practices Commission (FEPC). The measure ties in with AB 1463 (Unruh), which moves the entire apprenticeship training program from the Department of Industrial Relations to the new Department of Human Resource Development.

SMALL BUSINESS ASSISTANCE PROGRAM LAW (AB 1046—UNRUH)

Creates a two-year pilot program, to be administered by the Superintendent of Banks, whereby the State will contract with private non-profit associations which will provide technical business assistance to small businessmen who live in and desire to locate their enterprises in specified disadvantaged urban areas. Requires such small businessmen to employ, to the extent possible, individuals who have previously been public assistance recipients.

The measure provides that the dollar limitation on such technical and advisory help be not more than 15 percent of the face amount of the loan which the businessman receives from a private lender. A small businessman is defined by the bill as one whose business grosses not more than \$250,000 annually and who employs not more than 15 persons.

The bill requires the Superintendent of Banks to report to the 1970 Legislature on the effectiveness of the program. \$150,000 is appropriated for the purposes of the program in its first year.

POOLED MONEY INVESTMENT FUND (AB 1777—MONAGAN)

This bill would provide an incentive for banks to make high risk loans in urban poverty areas as members of a California Job Development Corporation.

Specifically, it would permit the Pooled Money Investment Board, consisting of the State Controller, Treasurer, and Finance Director, to deposit "idle cash reserves" in California banks which are members of CAL-JOB corporations.

In addition to making this money available for use by the member banks, the State would also be authorized to grant an "interest break" based on how much money an individual bank had invested in CAL-JOB

loans. A ceiling would be imposed on interest differentials, however, to prevent excessive profits resulting from the use of state money.

It is anticipated that utilization of reserve funds to provide incentives would also bolster the entire state economy, as any new money made available to banks would be used and reused, having a "multiplier effect" of roughly two and one-half times the amount deposited.

**CALIFORNIA JOB DEVELOPMENT CORPORATION
(AB 109—CAMPBELL)**

CAL-JOB is a vehicle to introduce private capital in urban poverty areas, and thereby create new job and small business opportunities for disadvantaged residents of these areas. The enabling legislation (AB 109) will be revised to enhance the effectiveness of this approach, and of the total bipartisan job development program.

The amended bill would establish a statewide CAL-JOB Advisory Board empowered to set criteria for loans, mobilize public and private resources, and approve formation of regional non-profit CAL-JOB Corporations in designated urban "target" areas.

Members of regional corporation could include any California business or institution which participates financially in the CAL-JOB program. Each corporation would be authorized to set up a fund to guarantee high risk loans and provide some protection for its members. (This protection is necessary because all CAL-JOB loans would go to borrowers who cannot qualify for conventional financing.)

Regional corporations would maintain a reasonable balance between loans to job-producing industries seeking to expand or locate operations in the target areas, and loans to aspiring small businessmen. They would also ensure that job and business opportunities are made available to racial groups in accordance with their representation in a particular area.

Recipients of CAL-JOB loans would assume certain obligations: large employer-borrowers would be required to hire residents from the target area in filling additional jobs; small business borrowers would be committed to a minimum two-year "consulting relationship" with the corporation. The latter requirement is to assist disadvantaged persons who have had no previous business experience.

**TAX INCENTIVE FOR JOB TRAINING (AB 1966—
VENEMAN)**

This bill would amend existing California tax laws to provide an incentive for employers to hire long-term unemployed persons, and unemployed or underemployed recipients of public assistance.

It would permit an employer to deduct from his gross income an amount equal to 50 percent of the training costs and wages paid an approved trainee, providing the term of employment is at least six months. And it is anticipated that the resulting loss of tax revenue to the State would be offset by savings in public assistance expenditures on a minimum three to one dollar ratio.

Employers would realize a tax saving up to seven percent of wages and training costs expended. This should encourage small and medium size employers, who account for most of the California labor force, to participate in training unskilled and unemployable workers.

Before this incentive could apply, both the employer and trainee would have to be certified by the Administrator of the Health and Welfare Agency.

Mr. MURPHY. Mr. President, on behalf of myself and the Senator from New York [Mr. JAVITS], I submit an amendment, intended to be proposed by us, jointly, to the bill (S. 2938) to extend

certain expiring provisions under the Manpower Development and Training Act of 1962, as amended, and ask that it be appropriately referred.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed, and referred to the Committee on Labor and Public Welfare.

VOCATIONAL EDUCATION AMENDMENTS OF 1968—AMENDMENTS

AMENDMENT NO. 885

Mr. JAVITS (for himself, Mr. BROOKE, Mr. CLARK, Mr. COOPER, and Mr. HART), proposed an amendment to the bill (S. 3770) to amend the Vocational Education Act of 1963, and for other purposes, which was ordered to be printed.

(See reference to the above amendment when proposed by Mr. JAVITS, which appears under a separate heading.)

AMENDMENT NO. 886

Mr. DOMINICK (for himself and Mr. MURPHY) proposed an amendment to Senate bill 3770, supra, which was ordered to be printed.

(See reference to the above amendment when proposed by Mr. DOMINICK, which appears under a separate heading.)

NOTICE OF RECEIPT OF NOMINATION BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. SPARKMAN. Mr. President, as acting chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the following nomination:

Harold Francis Linder, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Canada.

In accordance with the committee rule, this pending nomination may not be finally acted upon prior to the expiration of 6 days of its receipt in the Senate.

NOTICE OF JOINT HOUSE-SENATE MEETING RELATING TO NEED FOR A NATIONAL POLICY FOR THE ENVIRONMENT

Mr. JACKSON. Mr. President, Representative GEORGE MILLER and I have made arrangements to convene an informal joint House-Senate colloquium on July 17 at 10 a.m. to discuss the need for a national policy for the environment. Representatives from the executive branch, private foundations, and universities as well as concerned Members of Congress will be in attendance. The meeting will take place in the hearing room of the Joint Committee on Atomic Energy, room H-403, Capitol Building. All interested Members of the Senate are invited to attend.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

VIETNAM

Mr. SYMINGTON. Mr. President, as we face the last few weeks of what we hope is the end of the session, it would appear pertinent to review our situation in Vietnam.

A premise to this review is the fact that, whereas the enemy continue their attacks and sabotage in South Vietnam, since last March 31 the United States has refrained from any comparable attacks on the heartland of North Vietnam.

It is also a fact that, as a result of various policy decisions, this war—which is not a war in the true sense of the word, rather a gigantic police action—has been, and is being conducted with our Air Force and Navy shackled heavily by direct orders from Washington. I am not talking about the use of nuclear weapons, or the attacking of civilians.

In one sense, our ground troops, both Army and Marines, are at least as shackled, because ability to counterattack has always been considered an essential component of ground warfare.

In this policing of disputes between the various Vietnam groups, however, if and when our troops are successful in repulsing attacks, the enemy is then permitted to retreat into all three of the countries which border South Vietnam; namely, Cambodia, Laos, and North Vietnam; and in those three countries they are welcomed and sustained; and our own troops are ordered never to pursue them if that pursuit entails entering any of the three countries in question.

Some of the world's foremost guerrilla authorities now state that, as a result of these restrictions, along with subsequent developments, there can never be any true success in whatever it is we are trying to accomplish in Vietnam.

We know that hundreds of thousands of American military have now been in Europe for over a quarter of a century; also that tens of thousands additional of our military have been in Korea for over 18 years. We should now realize also that what is going on in Vietnam could also last for many more years.

Over 535,000 Americans are now in South Vietnam and that does not include the tens of thousands currently in Thailand, or the tens of thousands currently in Japan.

How long can the people of the United States continue to bear this worldwide military burden?

What is the justification for bearing it?

The high cost is without precedent, over 80,000 of our own youth wounded, and 25,600 dead, far more important figures than the \$2.5 billion a month currently going down the drain in the Vietnam venture, with no hope whatever of any recovery.

To these sad costs should be added the heavy and increasing loss of our prestige in all parts of the world; also the financial crisis it is now increasingly clear the expenses of this alleged war are bringing upon us.

Serious consideration should be given the above facts. They are becoming of steadily more concern to the American people.

IMPENDING APPROPRIATIONS— THE NEED FOR PRIORITIES

Mr. SYMINGTON. Mr. President, during these expected final days of Congress, the Senate will be asked to consider various appropriation requests for tens of billions of dollars, primarily for national defense.

On July 3, the distinguished senior Senator from Wisconsin, chairman of the Joint Economic Committee and one of the Senate's authorities on fiscal and monetary matters, placed in the RECORD a six-page article from the Congressional Quarterly of June 28 entitled "Defense Budget Cuts of \$10.8 Billion Seen Feasible."

The amount of this reduction appears high; but I now am certain in my own mind that we can save billions of dollars from appropriation requests that will be coming before us shortly.

In a recent article by the president of the world's largest bank, in discussing the relationship of the economy of the Nation's future security and well-being, Mr. Rudolph A. Peterson, president of the Bank of America, said in part:

Our government must come to the realization that, strong and powerful as we are, we cannot do everything at once without courting disaster. Specifically, we cannot fight what has become a major war, serve as the world's banker, rebuild our cities, cure environmental problems, render massive aid to foreign nations, dramatically upgrade the quality of our education, increase welfare programs, and solve the racial problems all at once. Strong as our economy is, it simply is not that strong. And, if we are not to face an additional crisis of shattered expectations, we need from our government a clear statement of national priorities.

Our present problems stem from a woeful breakdown in consequence economics in 1965. In that year the receipts and expenditures of the Federal government were basically in balance. But in that fateful year the decision was made to step up the war in Vietnam and increase domestic spending programs without a corresponding effort to raise revenues. Of course, each expenditure carried with it the implication of additional funding the following year. In a different economic circumstance, we might have gotten away with it, but in 1965 previous expansionary policies had produced a full employment economy. The Federal Reserve recognized the danger and courageously raised the discount rate, but monetary measures cannot work without fiscal help. The inevitable and predictable snowball result was that in three short years a modest deficit has turned into a gargantuan monster that will approach \$21 billion this year.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE PRESIDENT FOCUSES ON NEEDS OF CENTRAL AMERICA

Mr. MORSE. Mr. President, President Johnson's visit promises new impetus to the movement toward physical and economic integration of Central America, an achievement that all of us will welcome. Although the area is small and its population is only about 13 million, it is in some ways the advanced proving ground of the many times larger Latin American Common Market, which we hope will become a reality by 1985, when the Central American Common Market and the Latin American Free Trade Association are to converge into one single common market.

The problems and the accomplishments of economic and physical integration are dramatized in Central America and the movement forward into the future is clearly recognizable there.

The five countries of the Central American Common Market are approximately equal in size, population, and national production. Each is divided by an internal mountain barrier, each is washed by both the Atlantic and the Pacific oceans, and each has historically been more accessible to the outside world by ocean than its eastern and western areas are accessible to each other. Each has grown coffee or bananas and a narrow range of other agricultural products and has had very little reason to trade with the others.

The visit of President Johnson brought home to all of us how drastically the Central American Common Market has changed this in a few years. Nearly free trade has helped stimulate the rapid expansion of zonal trade from \$34 million in 1960 to \$200 million in 1967, an increase of 480 percent. Trade in industrial goods rose even more spectacularly, by 530 percent between 1960 and 1965.

President Johnson's visit was preceded by a meeting of President Sanchez, of El Salvador; President Trejos, of Costa Rica; President Lopez, of Honduras; President Somoza, of Nicaragua; and President Mendez Montenegro, of Guatemala.

In their Declaration of the Presidents of Central America, these Presidents renewed their support of the integration of Latin America and their decision at Punta del Este in April 1967 to participate actively in the formation of the Latin American Common Market. They reiterated their support for closer ties with neighboring countries and with other subregional integration movements.

They also assigned the highest importance to their own efforts to diversify and industrialize agricultural production for domestic consumption and for export, as well as the measures for more vigorous and better coordinated regional industrial policies.

The Presidents appealed for extension of the International Coffee Agreement

and voiced hope also for a similar agreement regarding sugar that would include preferential treatment provisions for relatively less developed countries in the process of economic integration. And they emphasized Central America's need for adequate technical and financial resources, as stated in the Declaration of the Presidents at Punta del Este, with which to strengthen and expand the existing Central American Economic Integration Fund.

The Presidents called for moving forward with the regional telecommunications program, the interconnection of electric power systems, the expansion of the Central American highway network, the continuation of housing construction programs as well as measures to increase the tourist trade.

All these serve to dramatize the great steps which these countries have already taken, as well as their future needs and hopes and the presence of President Johnson served to give them confidence in their determination to fulfill their goals.

They as well as President Johnson are to be congratulated.

RESTON ON PRIORITIES

Mr. METCALF. Mr. President, the prospects for coming to grips with our domestic problems are dark indeed as long as the Vietnam war persists. But I think all of us have assumed that—to use a contemporary phrase—there is "light at the end of the tunnel." That is to say, all of us have assumed that, when the war is over, the Federal budget can be tailored to the needs of the Nation.

Now it appears that our assumption may not be correct. In the New York Times of July 10, 1968, James Reston discusses a "debate of great significance" already occurring in the executive branch over who will inherit the budget when the war is over. Will our resources be channeled into vital domestic programs or into further military spending? That there will be powerful demands for the latter is revealed in the prediction of an administration official that—

A cessation of hostilities would result in great pressures to rebuild stocks in military supplies and equipment to a more acceptable level.

Mr. Reston poses the question:

Whose acceptable level is to be built up—the Pentagon's or the people's?

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

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

BUDGET BATTLE: THE COMING STRUGGLE OVER PRIORITIES

(By James Reston)

The United States and the Soviet Union are beginning to look beyond Vietnam. Both are holding to their firm positions on the Paris peace talks, but both are feeling the pressures on the home front and acting as if the conflict is in its closing phases.

This, of course, could take a long time, but there is a perceptible change in official private conversation. At least, few officials on both sides seem to believe that the talks

will break off or the fighting return to the high and dangerous level of last spring.

THE CHANGING TALK

There is now very little speculation in Washington about a "protracted war." Though the casualties remain high, and there will no doubt be more and sudden flurries of military activity for tactical and diplomatic reasons, there is almost no talk now about reviving the bombing above the nineteenth parallel in North Vietnam.

On the other side, the Soviets have reopened the dialogue about disarmament. The propaganda goes on, but it has lost much of its sting, and North Vietnam's differences with China over the peace negotiations seem to have made it easier for Moscow to talk seriously about accommodations outside of Southeast Asia.

Meanwhile, a debate of great significance is developing quietly within the United States Government over the rival claims of domestic and foreign policy in the post-war Federal budget. The pressures to end the war are now gradually shifting to demands for substantial increases in social and economic spending at home. And these pressures are producing the counter-arguments that even when the fighting stops in Vietnam, the domestic budget cannot be increased substantially without imperiling the foreign and defense interests of the nation.

For example, the Under Secretary of the Treasury, Joseph W. Barr, emphasized the other day that it will be "extremely difficult" to get defense spending down in the near future; traditional civilian Government programs will cost more as population grows; and much of the revenue growth that we can expect from a growing economy "must be used to reduce our current budget deficits."

The next President, said Mr. Barr, will not have the enormous balance of payments surpluses of the past. He will not have a large trade surplus, and other nations will not be willing to hold large amounts of dollars in their reserves.

Instead, Mr. Barr added, the next President will be confronted by urgent demands for more education, more medical care, more housing, more jobs, and more money to deal with the urgent urban problems of transportation, pollution and slum clearance. He estimates that moving from the current level of about 1,400,000 housing starts to 2,600,000 will place an additional \$20-billion strain on our credit markets every year.

HUMPHREY'S VIEW

Vice President Humphrey, who thinks he may be the next President, is obviously taking the domestic spending line in his campaign talks. He is talking more and more about "a Marshall Plan for the cities," which could easily absorb a \$20-billion Marshall Plan every year. But there are other views in the Administration.

"If the Defense Department is to maintain its current mission in the world," says Secretary Barr, "I would seriously doubt that any sizable reduction can be made in the defense budget in the foreseeable future." But this is precisely the question that is now coming over the horizon:

Is the Defense Department to "maintain its current mission in the world"? Senator McCarthy suggests that the answer to this, if he is President, will be "no." Vice President Humphrey has allowed us to assume that it will, and that somehow he will find the money to deal effectively with the cities as well. But of course, this is what is being seriously questioned by officials who are more interested in the facts than in the politics of the problem.

"We have been fighting this war on a very, very lean budget," says Secretary Barr. "There is no evidence that we have piled up surplus stocks in ordnance, ammunition, aircraft or naval vessels. On the contrary, I would estimate that a cessation of hostilities

would result in great pressures to rebuild stocks in military supplies and equipment to a more acceptable level."

It will be interesting to hear more on this from the candidates in the coming months. Whose acceptable level is to be built up—the Pentagon's or the people's? What do we do with peace if we get it? In short, the battle for priorities has already started, and it is likely to involve a most serious reappraisal of the nation's diplomatic objectives and domestic requirements even before the war ends.

NEW YORK INCREASES WORKMEN'S COMPENSATION AND DISABILITY BENEFITS

Mr. JAVITS. Mr. President, recently I introduced an amendment to the occupational health and safety bill, S. 2864, to establish a Federal Commission to study workmen's compensation laws. In the course of my remarks, I stated that many workmen's compensation laws are failing to do their job of properly compensating injured and disabled employees. Mr. President, I am pleased to report that New York State, which has one of the finest workmen's compensation laws in the country, has recently improved its law even further by increasing maximum weekly benefits effective July 1, 1968. I ask unanimous consent that a release of the New York State Workmen's Compensation Board describing the increase be printed in the RECORD.

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

INCREASES IN WORKMEN'S COMPENSATION, DISABILITY BENEFITS AND VOLUNTEER FIREMEN'S BENEFITS EFFECTIVE JULY 1

NEW YORK, N.Y.—S. E. Senior, Chairman of the Workmen's Compensation Board, announces that—effective July 1—maximum weekly cash benefits will increase under the Workmen's Compensation Law, the Volunteer Firemen's Benefit Law, and the Disability Benefits Law, for accidents or death occurring—or nonoccupational disability commencing—on and after this date.

1968 amendments to these Laws increase: From \$60 to \$85 the maximum weekly cash benefit payable for work-connected temporary total disability for accidents occurring on and after July 1.

From \$60 to \$70 the maximum weekly cash benefit payable for work-connected partial disability or permanent total disability—as well as the aggregate death benefits under both laws—for accidents or death occurring on and after July 1.

From \$55 to \$65 the weekly maximum benefit payable for non-occupational disability commencing on and after that date.

Governor Rockefeller, in signing the increases into law, said:

"These . . . bills, recommended in my Annual Message to the Legislature, increase the weekly social insurance benefits payable to New York's working men and women.

"The rising cost of living and improved wage levels require an updating of . . . benefits . . .

"These bills will enable New York to continue as one of the Nation's leaders in protecting its well-deserving workers through a fair and equitable program of social insurance."

Another long sought amendment to the Workmen's Compensation Law, which the Legislature passed upon the recommendation of the Governor, provides for a supplemental workmen's compensation allowance, effective July 1, 1969, in certain cases of

death or permanent total disability resulting from an accidental injury or occupational disease that occurred before July 1, 1960, so that the new maximum rates in these cases will be \$50 a week for total disability and \$30 a week for widows without children in death cases. Here, the Governor said:

"Of particular importance is the bill providing a supplemental allowance to certain workers and widows whose Workmen's Compensation benefits were fixed so long ago that the rates paid are obsolete and inadequate in light of today's price levels . . ."

(Details regarding application for supplemental benefits will be announced later in the year.)

In commenting upon the enactment of this legislation, Chairman Senior said:

"This year's achievements mark the greatest breakthrough ever in this important field of social legislation. Increases in benefits supply needed relief for the plight of the injured worker. I am sure we all realize, however, that complete rehabilitation and restoration to employability and employment remain the ultimate objective of the Workmen's Compensation program."

SOCIAL SECURITY IS SOUND

Mr. BYRD of West Virginia. Mr. President, an excellent column by Sylvia Porter was published in the Washington Evening Star of July 11, answering questions which are often asked concerning the investment, earnings and stability of our social security trust funds.

This widely respected financial writer finds that the funds are well invested in U.S. Government obligations, that "as long as the Government stands, it will stand behind these obligations, and it is not an exaggeration to say that if ever this is not true, no investment the funds could conceivably make would be worth the paper it's written on."

She finds, further, that the earnings are good, that the investments are sufficiently liquid, and that the funds are adequate for future benefit payments.

Because I believe that this column will have wide interest, I ask unanimous consent that it be printed in the RECORD.

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

SOCIAL SECURITY TRUST FUNDS SAFE?

(By Sylvia Porter)

How are our enormous Social Security trust funds invested? How safe is the \$27.3 billion of our tax money in these funds? What do the investments earn? Will the funds have sufficient income to pay benefits over the next 15, 20 and more years?

More than 23 million Americans are totally or partially dependent on Social Security benefits for food, shelter and clothing. Many more tens of millions are counting on these benefits in the future to help us live in dignity in our older years. Questions about the safety and integrity of the funds to which we contribute so much in taxes are entirely in order and come up repeatedly in my mail. Repeatedly also, I read and hear deeply disturbing reports about the inadequacy of the Social Security reserves and the lack of safety and lack of liquidity of the funds' investments. Here are factual answers to some key questions.

Q. How are the Social Security funds invested?

A. Except for undisbursed balances equal to about one month's benefits, all the assets of each of the Social Security funds are invested in U.S. Government obligations. Here are the statistics as of the end of fiscal year

1967: Total trust fund assets, \$27.4 billion; total invested assets, \$25.4 billion; undistributed balances, \$2 billion.

The U.S. obligations are of three types—public issues, special issues sold only to a particular trust fund and federally sponsored agency obligations (such as Federal National Mortgage Assn. debentures).

Q. What are the funds?

A. There are four: The Old Age Survivors Insurance Trust Fund (OASI), which held \$23.5 billion at the end of fiscal 1967; the Disability Insurance Trust Fund (DI), which held \$2 billion; the Hospital Insurance Trust Fund (HI), which held \$1.3 billion; the Supplementary Medical Insurance Fund (SMI), which held \$486 million. These last two were set up to finance Medicare.

Q. How safe are the investments?

A. As safe as the U.S. Government, the most powerful government in all the world and, despite all our criticism and carping, the most solvent.

As long as the Government stands, it will stand behind these obligations and it is not an exaggeration to say that if ever this is not true, no investment the funds could conceivably make would be worth the paper it's written on.

Q. What do the Social Security investments earn?

A. As interest rates have soared, the funds have earned more and more on their U.S. securities, at least one benefit from the historic upsurge in rates.

In fiscal 1967, the income of the funds from which cash benefits are paid topped outgo by almost \$4 billion.

Q. How liquid are the investments?

A. The public and federal agency issues can be sold on the open market at any time. The special issues are redeemable at the Treasury on demand. All but a single \$1 billion special issue, which can be redeemed only at maturity, are extremely liquid.

Q. Will the funds be sufficient for future benefits?

A. The 1967 report of the funds' trustees says that "the system, as modified by the 1967 amendments, continues to be financed on an actuarially sound basis." The Old Age and Disability funds "will have sufficient income from contributions (based on the tax schedule and taxable earnings base now in the law) and from investments to meet the cost of benefit payments and administrative expenses both for the next 15 to 20 years and for the distant future."

J. E. B. STUART HIGH SCHOOL WINS PRINCESS ELIZABETH CHALLENGE CUP

Mr. SPONG. Mr. President, 3 years ago, without official recognition, a crew club was organized at the J. E. B. Stuart High School in Falls Church, Va.

On Saturday the club became world schoolboy crew champions by winning the Princess Elizabeth Challenge Cup at the Henley Royal Regatta in England. The victory, the fifth in 4 days for the Raiders, was the only American triumph at Henley.

The Stuart crew can take special pride in its achievement because the championship was a do-it-yourself effort both financially and competitively.

Until this year, the club did not have its own shell. It used borrowed equipment from the Potomac Boat Club and Washington-Lee High School. Washington-Lee won the Princess Elizabeth Cup in 1964, so Stuart's victory was the second in 5 years for northern Virginia.

Stuart's trip to Henley was made possible by a monthlong fund drive by the

crew and its boosters club. The campaign realized \$11,500.

Mr. President, I commend the Stuart coaches, Mike Gasch and Walt Barber, and the members of the crew—Corbin Wilson, Reed Augliere, Mike HacsKaylo, Dave Foulis, Steve Hancotte, Eric Rudrud, Tom Lang, Steve Wilson, and Dave Hafner—and I ask unanimous consent that an account of their achievement as it was published in the Washington Star be printed in the RECORD.

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

STUART WINS CUP AT HENLEY, CLIMAXING AMAZING YEAR

HENLEY-ON-THAMES, ENGLAND.—The Jeb Stuart Crew Club of Fairfax County, Va., climaxed an almost unbelievable season yesterday by capturing the biggest prize in scholastic rowing.

Holding off a challenge by defending champion Eton College, Stuart crossed the finish line a scant 6 feet in front to win the Princess Elizabeth Challenge Cup in the Royal Henley Regatta.

The two shells were never separated by more than one boat-length as a crowd of about 20,000 watched the struggle from the banks of the Thames.

The Virginia School, which began rowing only three years ago, was timed in 8:17 over a 2,330-yard course which remained treacherous because of swollen water and strong currents.

Stuart's victory was its fifth in four days. Earlier yesterday the United States national schoolboy champions defeated Nautical College of Pangbourne, England, by three lengths in the semifinals.

The Fairfax County boys were the second shell from Northern Virginia to win the Princess Elizabeth Cup. Washington-Lee of Arlington County triumphed in 1964 but failed to survive beyond the quarter finals in 1958, 1960, 1962 and 1966.

SCARCE AT FINISH

Stuart's moment of triumph almost ended embarrassingly when the shell struck a boom marking the finish line seconds after the race ended.

The Stuart craft then caromed into a nearby press boat, but neither suffered damage. Stuart's shell righted itself without danger of capsizing.

Assigned to the more choppy lane on the narrow course, Stuart compensated by opening at a high stroke to take a half-length lead in the early moments.

That edge proved decisive, for Eton failed to overhaul the Americans during the closely contested race. The Britons put on a mild surge at the finish, however, and were closing ground when time ran out.

The championship race was by far the closest call for Stuart, which defeated four other British shells by margins ranging from 1½ to 3½ lengths.

LINEUP OF CREW

"We might have won the earlier races without much trouble, but I was scared every time out," said Dave Foulis, Stuart's No. 4 oarsman. "The competition here is plenty tough."

Other members of Stuart's shell were Corbin Wilson, Bow; Reed Augliere, No. 2; Mike HacsKaylo, No. 3; Steve Hancotte, No. 5; Eric Rudrud, No. 6; Tom Lang, No. 7; Steve Wilson, Stroke, and Dave Hafner, Coxswain.

The Virginia oarsmen ripped through a victory celebration last night and then prepared for two days of sightseeing in nearby London. The athletes were not permitted by their coaches, Mike Gasch and Walt Barber, to visit the city while the regatta was in progress.

In Fairfax County, members of the Jeb Stuart Crew Boosters Club began planning for a welcome home reception. The crew is scheduled to arrive at Dulles Airport at 4:40 p.m. Tuesday.

DO-IT-YOURSELF EFFORT

Stuart's victory was all the more remarkable because it was strictly a do-it-yourself effort from both financial and competitive aspects.

Although the school has been rowing since 1965, the sport is not officially recognized by the Fairfax County School Board, which claims it is financially impossible for it to sponsor crews at all of its 18 high schools.

Stuart's trip to Henley was made possible only when members of the booster group and the athletes themselves conducted a month-long fund drive to raise the necessary \$11,500.

Until this session, when it purchased two used shells and one new one, Stuart rowed with equipment borrowed from both Washington's Potomac Boat Club and Washington-Lee High. An earlier fund drive netted the \$3,000 needed for the equipment.

Rep. Joel Broyhill, R-Va., yesterday sent the crew a telegram congratulating the youngsters on their victory. A congratulatory wire was sent Friday by Vice President Hubert Humphrey following the quarter-finals.

CAPTIVE NATIONS WEEK

Mr. SCOTT. Mr. President, this week is Captive Nations Week. In observance, I invite the attention of the Senate to the fact that nine Central European nations still live unwillingly under Soviet repression.

For 25 years the people of Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, and Rumania have been pinioned by the iron hand of Soviet Russia. Their lands were forcibly annexed and their governments replaced by puppet regimes.

These actions are contrary to the principles of the United Nations and the free world.

Under the United Nations Charter, all member states pledged themselves to promote human rights and fundamental freedom for all. The Universal Declaration of Human Rights, adopted unanimously by the U.N. General Assembly in December of 1948, clearly established that human rights and fundamental freedoms include the sovereign right of each nation to live under a system of government of its own choosing.

The free world has a responsibility to encourage independence for all nations, and to support those nations which seek self-determination. Several captive nations already have begun to flex muscles of independence.

The urgent need and rising demand for freedom of thought and expression in Poland is mirrored by the intellectuals' growing opposition to the regime and recent demonstrations against literary censorship.

The new liberal Czechoslovakian Government is showing increased independence from Soviet leadership.

Similar things are happening in Rumania. They did happen in Yugoslavia. These are hopeful signs. Communism is still powerful, but not as monolithic as it once was.

The United Nations has a duty to uphold its basic principles, and the free world has the right to insist that the

long-established agreements of the U.N. Charter be carried out.

THE CASE OF THE VANISHING PASSENGER TRAIN

Mr. METCALF. Mr. President, on June 26, the Subcommittee on Surface Transportation sent to the Committee on Commerce for its consideration three measures relating to rail transportation, calling for a moratorium on further discontinuances of rail service, a study of ground transportation, including rail, and amendments to enable the Interstate Commerce Commission to act effectively to protect the public interest.

Mr. President, the submission of Senate Concurrent Resolution 25 and its approval after hearings by a subcommittee, decisions of the Supreme Court and of the Interstate Commerce Commission, and statements of its members, together with the activities of the railroads themselves in recent months, give point to a suspicion that has been growing in the Nation for some time: that the railroads consider they have no responsibility to provide rail passenger service to the people of the Nation, and are at pains to secure the sympathies of the public and the Government by virtue of their desperate financial condition resulting from "losses" on passenger traffic.

I profoundly hope that the Committee on Commerce will report Senate Concurrent Resolution 25 and that it will be approved by Congress so as to make way for the kind of study that can cut through the obfuscation of the railroad industry's propaganda and uncover the railroads' true financial condition. Such a study could serve Congress as a guide to future legislation, such as the enactment of a measure to sift proposed mergers through the antitrust processes; it could guide the ICC in the preparation of more accurate formulas to be used in determining losses, and so forth. Above all, it might persuade the railroads to our own innocent view—the basis upon which the Government granted them millions of acres of land and other inducements—namely, that the business of railroads is to furnish rail service.

In the meantime, for the consideration of the Committee on Commerce and of the Senate, should Senate Concurrent Resolution 25 be reported, and to suggest what a study might accomplish, I should like to explore some facets of the rail industry's intensified efforts to withdraw from the passenger business.

I shall begin by asking unanimous consent to have printed in the RECORD an editorial which many of our constituents will be reading this month. The editorial was furnished on July 1 to approximately 11,000 editors who receive a packet of free, canned editorials from Industrial News Review weekly. Each packet contains an editorial on behalf of the railroad company clients of Industrial News Review, which is owned by E. Hofer & Sons, of 4443 NE Airport Road, Hillsboro, Oreg.

The editorial entitled "Public Preference Rules," and published in the Industrial News Review, will appear in

some newspapers as the very own thoughts of the local editors.

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

PUBLIC PREFERENCE RULES

A recent analysis of newspaper editorials by the Association of American Railroads showed a remarkably broad grasp of railroad problems by the public—with but one exception. That had to do with discontinuance of rail passenger trains. Apparently, the public has failed to understand its own changing transportation preferences and the ensuing economic stress that has been placed on the rails.

The AAR has released a pamphlet entitled, "The Case of the Vanishing Passenger Train." In it, the story is told of why passenger trains are disappearing. People have simply chosen other forms of transport and not because of declining service. Shortly after World War II, the railroads and the Pullman Company spent over \$500 million for new, modernized passenger equipment. This equipment included ultramodern chair cars, plush sleeping cars with showers, valet service, radio-telephones, dining cars with full course meals, lounge cars with coffee shops and bar service, vista-dome observation cars, air conditioning and other conveniences and luxuries. In spite of these innovations, passenger traffic declined. If the rails were still running as many trains as they ran in 1957, passenger deficits in 1967 would have been about \$1.5 billion—more than the industry's total net operating income from freight service.

In 1959, the ICC conducted a long investigation of the passenger train crisis. It reported railroads have "conscientiously endeavored to improve their standards of service" and "generally have not discontinued trains without serious efforts—sometimes prolonged—to make them pay and only after sympathetic consideration of public convenience."

The U.S. will depend more and more on the rails for the hauling of freight. To meet this transport challenge, every available rail investment dollar must go for the continuation of a modernization program which is reshaping the railroad industry from the ground up to the benefit of the entire nation.

Mr. METCALF. Mr. President, as this canned editorial campaign indicates, the railroad industry is intensifying its efforts to withdraw from the passenger business. Its position is exemplified by the pamphlet recently issued by the Association of American Railroads entitled "The Case of the Vanishing Passenger Train," to which reference was made in the above editorial. In the pamphlet, the AAR first drags out the tired old alibi of the railroads that the passengers deserted the railroad because of the superiority of other modes of transportation. This, of course, can be refuted by the millions of former and present rail passengers who can testify that they were virtually forced to use other modes because of the poor train service.

Furthermore, the AAR arrogantly rejects any obligation on the part of the railroads to provide any passenger services at a loss no matter how useful such service may be to the public or how affluent the railroad company may be on an overall basis. But this position conveniently overlooks some pertinent points:

First, Railroads still enjoy a monopoly as compared to other forms of transportation for the bigger part of their most profitable freight business.

Second, Railroads are permitted to make agreements with each other not to compete pricewise for freight business, and are exempt from the antitrust laws in so doing.

Third, Entry into the railroad field is restricted by the ICC in order that the profits of existing railroads will not be diluted.

Fourth, When the railroads were constructed they received invaluable public assistance, including: power of eminent domain, which enabled the acquisition of land at fair prices rather than at the enormously inflated amounts the companies would otherwise have had to pay; land grants, for which the only consideration was the obligation to transport Government freight at low rates; and outright gifts and donations from towns and localities that desired rail service.

The railroads' attempt to belittle the value of the land grants by claiming that the amount of money saved by the Government during the period up through 1945, when the reduced "land grant rates" were in effect, was over 10 times the value of the land received by the railroads, which is alleged to be \$125 million.

This is misleading for several reasons. First, the AAR substantially understates the value of the land at the time it was given to the railroads. The railroads received approximately 131,000,000 acres, which at the AAR's figure of \$125 million is 95 cents per acre. However, the AAR admits that, as soon as the Land Grant Act was passed, the land was selling for \$2.50 per acre. It is only reasonable that the original value of the land to the railroads be computed as of the date that the railroad lines were actually built thereon, for the immediate enhancement of land values as a result of railroad construction was a basic contemplation of the program. Accordingly, the 131,000,000 acres were worth \$327,500,000 at the time they were acquired by the railroads, rather than the \$125,000,000 claimed by the AAR. Second, the railroads were in effect given over 80 years to repay the Government for the land. Hence it is only fair to include an interest factor. If interest at 6 percent on the unpaid balance over the 80 years is included, it seems likely that the railroads owed the Government a sum in excess of what was actually repaid. And a major portion of the reduced rate "repayments" were deferred until the railroads could best afford it—during the boom traffic years of World War II.

Finally, the AAR makes no mention of the enormous increase in the value of the land over the intervening years. Some of the land is now among our most fertile agricultural acreage. Other portions have yielded enormously valuable deposits of minerals and fuels. Were the proceeds received by the railroads from the lands they have sold over the years added to the present value of the lands they have retained and to interest owed over the 80-year period, I am confident that the total would greatly exceed what the railroads "repaid" through reduced rates to the Government.

In return for their still substantial monopoly position, protected by law, and for the generous Government assistance given them at the time they were

built, the railroads have an obligation to the public to perform some services that are useful, such as passenger service, even though they may operate at a loss. As the late Justice Frankfurter once put it:

Unlike a department store or a grocery, a railroad cannot discontinue a particular service to the public because an item of its business has become unprofitable.

The factors that must be evaluated in each case are whether the value to the public of such rail service is sufficient to justify the imposition of the loss incurred in providing it, with relation to the overall financial condition of the railroad.

The railroads, however, do not stop with rejection of their common carrier obligations to serve the public. In its attempt to gain public sympathy and support for their program of passenger service discontinuance, the AAR has engaged in gross distortions and misrepresentations of their alleged financial loss on passenger service. The pamphlet says:

"In spite of severe passenger deficits each year, our railroads manage to operate at a slight profit. However, their average rate of return on net investment is the lowest among the nation's major industries. Last year's passenger losses were more than \$480 million and the overall rate of return a meager 2.46 percent.

The passenger deficit, coupled with a sharp increase in operating expenses, forced the railroads to cut back heavily on expenditures for badly needed capital improvements.

Since the end of World War II the losses on passenger service have averaged more than \$525 million a year.

If railroads were still running as many trains as they ran in 1957, the passenger deficit last year would have been about \$1.5 billion—substantially more than the industry's net operating income of \$1,161 million from freight service.

In the last 10 years (the railroads) have spent \$11.5 billion of their own money on (modernization)—and they could well use the additional millions of dollars which go down the drain on passenger services each year to further this investment in your future.

The clear and unambiguous thrust of these statements is that the net profit of the railroads, before Federal income tax, would have been \$484 million higher in 1967 were no passenger service operated, or to put it another way, the railroads would have had an additional \$484 million available for improvements and modernization of freight service. In other words, the AAR is saying that the huge loss figures represent the "avoidable loss" on passenger service—the amount that would be saved each year were passenger service discontinued. As I will demonstrate, this is a wild and deliberate distortion of the truth.

The \$484 million "passenger deficit" figure for 1967 is computed in accordance with the so-called separation rules or fully allocated cost formula of the Interstate Commerce Commission. This formula is designed to make an arbitrary allocation of "common" or "overhead" expenses between freight and passenger services for purposes of ratemaking. The Commission itself has made clear that

the results produced by this formula have no relation to the amount that would be saved upon discontinuance of passenger service. At the end of the separation rules as they appear in the Code of Federal Regulations (49 CFR 121) appears the following:

NOTE B.—The total distribution to freight service or passenger service derived under the foregoing rules for separation consists of the solely related or directly assignable amounts plus an apportionment of the common on a service or use basis. Inasmuch as the amounts assigned and/or apportioned to the freight and passenger services, respectively, are based on the performance of both services, the operating expenses, taxes, equipment and joint facility rents assigned and/or apportioned to either service may not represent the amounts that could be eliminated if either service were discontinued." (Emphasis supplied.)

In *Railway Passenger Train Deficit*, 306 ICC 417 (1959), the Commission stated as follows at page 427:

The separation rules do not reflect, nor are they intended to provide, the cost of operating individual trains, they are not intended to determine the expenses which would be avoided if all passenger services were discontinued; and they are not intended to measure the elusive "out-of-pocket costs."

In the early and middle fifties, when the "fully allocated" passenger deficits were running at a substantially higher rate than at present, the figures were explicitly repudiated by a member of the Commission, Commissioner Richard F. Mitchell in a public address in November 1954 stated:

According to our figures the railroads lost approximately \$700 million last year (1953) in the operation of passenger trains. Frankly, I do not agree with our figures. I think we have overstated the deficit to some extent, so I have cut it \$200 million and call it a \$500 million red figure.

In another address in June 1955, Commissioner Mitchell said he did not think that the 1954 deficit was as great as the \$669 million indicated by the Commission's formula, and that "the formula should be changed and perhaps a nearer figure would be \$400 million."

In October 1966, former Chairman William H. Tucker of the ICC commented as follows:

The first thing to make clear and to emphasize in any discussion of passenger deficit is that it is not a measure of operating costs that would be eliminated upon elimination of passenger service itself. . . . To some degree, at least, passenger service as performed by many railroads may have become a by-product of the freight service, rather than the "common" product assumed by the Commission's accounting rules for allocating common costs. An appropriate change in the rules may therefore be justified at this time.

Speaking in March of this year in Centerville, Iowa, Chairman Paul J. Tierney of the ICC could not have been more explicit:

Too much weight has been given to quoting "official passenger deficits" as a barometer of the cost of providing public rail transportation. During the fifties, the deficit averaged well over \$600 million annually. With the shrinking of rail service in the present decade, deficits have declined to \$400 million. While the "passenger deficits" represent an accounting apportionment of all passenger costs, they do not represent a valid yardstick of the lack of profitability in rail passenger service. The deficits include costs for facilities that are used jointly by both passenger and freight service such as roadbed maintenance. But the elimination of passenger service would not remove certain portions of these joint costs now allocated to passenger service; for example, about the same level of track maintenance will still be required by the carriers even if passenger trains are eliminated.

While today's losses from passenger operations should not be minimized, they are nowhere near the \$400 million deficit derived by the accounting procedures designed for ratemaking.

Savings attributable to the cessation of passenger service in discontinuance cases, which becomes the degree of financial burden when considered in light of the carriers' over-all financial posture, is determined by the costs that actually will be avoided. Thus, the Commission excludes such items as track maintenance costs and arrives at a total that is normally considerably lower than what would be derived by applying the passenger deficit accounting approach.

In his recent landmark report on the Southern Pacific's downgrading of service on the *Sunset* between New Orleans and Los Angeles, ICC Examiner John S. Messer recommends that the "fully allocated" formula be scrapped and a more realistic approach used to compute passenger service financial results.

Available figures for individual railroads also indicate that the "formula" figures overstate the actual avoidable loss. The Baltimore & Ohio, the Reading, and the Canadian National have publicly stated what their "avoidable loss" is:

Railroad	Year	ICC formula loss	Avoidable loss	Avoidable percent of ICC loss
B. & O.	1963	\$11,900,000	\$3,400,000	28
RDG	1963	5,800,000	3,200,000	55
CNR	1965	46,500,000	9,200,000	20

In a number of instances in recent years, railroads have petitioned the ICC for discontinuance of all their passenger service, in the course of which proceedings "avoidable loss" figures have been computed for such service. For example:

Railroad	Year	ICC formula loss	Avoidable loss	Avoidable percent of ICC loss
Frisco	1963	\$6,700,000	\$1,600,000-\$3,000,000	24-45
Lehigh Valley	1958	4,100,000	2,400,000	59
M-K-T	1964	3,000,000	1,100,000	37
CGW	1964	300,000	200,000	67
WP	1965	2,700,000	600,000-1,200,000	22-44
Monon	1965	600,000	200,000	33
	1966	700,000	300,000	43
KCS-L. & A.	1965	3,800,000	1,900,000	50
	1966	4,200,000	2,100,000	50

Before 1956, it was apparently the general opinion of railroad management itself that "real" or "avoidable" losses on passenger service were substantially overstated by the formula, if they existed at all. In 1955, John W. Barriger, now president of the Missouri-Kansas-Texas Railroad, stated that "elimination of all passenger trains would probably shrink revenues more than it would reduce expenses."

In June of the same year, Vice President W. W. Patchell of the Pennsylvania Railroad alleged that "we cannot even consider the possibility of going out of the passenger business because we would lose more than we would save."

In 1956, John M. Budd, president of the Great Northern Railway, commented:

How much total expense might be eliminated is difficult to estimate for all Class I railroads but it would be very much closer to 100 million dollars than to 670 million. Fifty-two per cent of the resultant savings would go to the Federal Government in income tax, while the remainder—if retained for the owners—would increase the now meager return on investment by only one-tenth of one per cent.

In accordance with this apparent industrywide sentiment, the Association of American Railroads in 1955 recommended to the Hoover Commission Task Force on Paper Work Management that the "formula" be abolished. It argued that the railroads would save \$270,000 a year in accounting expenses and that the information produced by the formula was of questionable value.

By 1958, the association had made an extraordinary about face on this issue. In 1956, the ICC instituted a comprehensive investigation of rail passenger service financial problems. Among the subjects covered was accounting. In direct contradiction to what they had told the Hoover Commission in 1955, the railroads told the ICC that the formula results in "substantially accurate and useful data" and should be retained. The Commission acquiesced in their desires.

The AAR and the railroad industry have never explained this switch in position, nor to my knowledge have they ever been asked to do so by the ICC or other Government agency. But on the basis of subsequent events we can make a reasonably educated guess. In 1956, the dominant forces in the industry—the Pennsylvania, the New York Central, and Southern Pacific—concluded that passenger service was in fact losing real money and that there was no hope of improvement short of total abandonment. But in order to accomplish this goal, the railroads needed to gain public support. And it is here that I am convinced that the industry suddenly realized that the large "formula" deficit figures could be used with devastating effect to deceive the public into believing that passenger service was forcing the railroads into insolvency, and therefore the industry had no choice but to abandon it.

In recent years, the formula figures have been repeatedly cited by the railroads in support of discontinuance applications and to back up their general contention that the future of passenger

service is hopeless. In virtually every instance, the context in which the figures are used is such that the listener gets the clear impression that they represent the amount that will be saved if the service is discontinued. The public is thus discouraged from opposing discontinuance applications and suggesting constructive solutions to save the services, while shippers are frightened into believing that the huge formula deficits are being made up by higher freight rates, and thus are encouraged to support the discontinuance. The AAR pamphlet is the latest example of this railroad propaganda campaign.

What is happening, then, is that the railroad industry is resorting to fraudulent misrepresentations of its financial data to increase its profits at the expense of the public. That any industry as vital as the railroads is engaging in this type of conduct should be a matter of grave concern for this body. Indeed, were the statements in the AAR pamphlet made by a railroad executive with reference to the financial results of his own railroad, he quite likely would be subject to criminal prosecution under the section of the Interstate Commerce Act prohibiting any falsification of books, records, financial data, and so forth.

A couple of weeks ago, the Santa Fe Railroad issued a prospectus concerning its proposed exchange of common stock for new stock in Santa Fe Industries, Inc., a holding company it has formed to facilitate corporate "diversification." With reference to passenger service, this document states:

The passenger train deficit in 1967 for all Railway's passenger trains was \$47,978,875 as reported under the accounting formula prescribed by the Interstate Commerce Commission which charges passenger service with a proportion of costs for overhead, maintenance, taxes and other items. It does not represent what would be savable if there were no passenger trains at all.

Clearly, this is quite different from what the AAR would have us believe. The only possible explanation is that the Santa Fe prospectus, unlike the AAR pamphlet, is subject to the very strict laws and regulations of the Securities and Exchange Commission which prohibit any kind of misrepresentation, distortion, or misleading omission. And so I ask, is not the traveling public entitled to the same degree of honest dealing from the railroads as are prospective security purchasers?

Mr. President, we should demand that the railroads henceforth be scrupulously honest with the public in any statements that they may make regarding their finances. I ask that the Interstate Commerce Commission take immediate steps to enforce this obligation. And I ask the Commission to require all railroads as a matter of course to report annually their passenger service financial results on an "avoidable" cost basis. Only then will we have meaningful information to assist us in formulating national policy on rail passenger service.

DEATH OF HON. ROSS COLLINS

Mr. STENNIS. Mr. President, Mississippians have been deeply saddened by the death of Hon. Ross Collins, a dis-

tinguished citizen and a former Member of the U.S. House of Representatives.

For more than 20 years he was one of the Nation's most active and effective Representatives in Congress. Had he remained in the House, he would have advanced many years ago to the chairmanship of the Committee on Appropriations. His service to Mississippi and the Nation will remain as a high mark in statesmanship.

Although it has been more than 2 decades since he served in the House, the effect of his work is still being felt in many departments of the Government, including the Department of Defense. Mississippians still reap the benefit of his wisdom and endless energy which he applied so well in behalf of not only his immediate constituents but also for the benefit of the entire State.

His counsel and advice have been very helpful to me as a Senator, and I greatly cherished his personal friendship as a man, and as a fellow Mississippian.

Present Members of each body who served with him all recall his tireless energy, his dedication to duty and his foresight as a longtime Member of the Congress.

We have lost a staunch and valuable citizen who will always be remembered as a faithful servant of his fellow man. Although grieved by his death, his many friends and relatives can find assurance in the knowledge that his life was spent in faithful service to his community, State, and Nation and that many persons throughout the Nation join in grieving the loss of this public servant.

THE POSTAL BUDGET

Mr. HOLLINGS. Mr. President, the postal budget that was approved by Congress recently was \$169 million lower than the Post Office Department requested. This was by far the biggest reduction in a Postal budget in history.

Postmaster General Watson has pledged that he will do everything possible to operate within the bounds of this reduced budget without making any significant cutbacks in mail delivery service. I know I am not the only Member of Congress who welcomed this attitude on the part of our very able Postmaster General. I do not believe there are many Senators who want to see postal service cut back, especially not right after the users of the mails have been hit with a substantial rate increase.

I do not think there are many Senators who want to see Saturday mail delivery eliminated.

I do not think there are many Senators who want to see rural mail service decimated.

I do not think there are many Senators who want to see window service eliminated on Saturday.

Yet Postmaster General Watson has already taken some of these actions, and he is contemplating others. It is not that the Postmaster General has found it impossible to live within his Department's budget without cutting service.

He simply does not have the manpower to continue present services. He does not have that manpower because under the provisions of the tax bill the Post Office

must cut its workforce to the level of June 1966.

Giving the Post Office the manpower it needs to do its job will not increase the Postal budget. And denying the Department the employees it requires will not reduce the Postal budget.

Mail volume is increasing steadily, and since the Postal service has no control over mail volume—and thus no control over its workload—it should be exempt from the employment limitation in the new tax law.

A LIQUOR LICENSE AT 400 FIRST STREET SE.

Mr. METCALF. Mr. President, the other night I received a call from a neighbor informing me that a liquor license was apt to be issued at 400 First Street SE., a block from my home. The proposed site for the license was, not too long ago, a grocery store in what still is a residential neighborhood. I decided that I would lodge a protest against approval of the license. The reason was simple. There are in existence a bar at the Congressional Hotel and numerous bars within a couple of blocks; and on the street where the liquor license would be issued are two retail liquor stores. So I felt strongly that a combination restaurant and bar was not only undesirable but unnecessary as well. Parking is at a premium on this street and facilities for serving customers are nonexistent.

The ABC Board was called, and I was informed that it was too late to file a formal petition of protest since they were about to end business for the day, and protest petitions had to be filed on a special form that could be obtained only from the District Building. I was also informed that the last day to file such a petition was July 12, the day the Board was called. The only thing that I can do now is to file a letter of protest, with no assurance as to what weight will be given to a mere letter. I was also informed that a hearing would be held on July 17, if I wanted to trot over to the District Building.

The purpose of all this is to put other Senators on notices that they should peer in the windows of all vacant buildings in their neighborhoods on both sides of the street and read the legal notices in the newspapers faithfully unless they want to wake up one morning to find that they have approved by nonaction a business activity in their neighborhood that they would have normally protested.

SUPER-SURTAX

Mr. PROXMIER. Mr. President, prior to the passage of the recently enacted tax-expenditure legislation, many voices, among them my own, were raised in concern over the potential "overkill" aspects of that measure. It seemed that such actions would represent an exceptionally strong dose of medicine to prescribe for our economic ills. An article published in the Washington Post of July 12 describes another spinoff from these fiscal measures, a secondary impact which adds to that directly resulting from the legisla-

tion itself, while partially contradicting the purpose of the legislation.

The article notes the likelihood that many utility companies will attempt to pass on to the consumer the burden of increased costs resulting from the surcharge. Thus, the consumer will, in effect, be losing purchasing power above and beyond the basic 10-percent surcharge as prices of utility services rise, the price increases themselves being a contradiction of the initial purpose of the restrictive policy. It is quite probable that other semimonopolistic and monopolistic industries will follow the same pattern, with rising prices constituting a super-surtax on the consumer.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

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

UTILITY BILLS MAY RISE IN WAKE OF SURCHARGE

The new 10 percent income tax surcharge may cost some Americans more than 10 percent by the time they pay their utility bill, regulatory spokesmen said yesterday.

Paul Rogers, General counsel of the National Association of Regulatory Utility Commissions, said if state commissions can prevent utility companies from passing on their increased tax costs to consumers, they will.

"These burdens are not passed along automatically," Rogers said. "They'll have to apply for permission."

"But of course the surcharge is not likely to hold down utility rates," he added.

"It all depends on the earnings of each utility company in the Nation," he said. "Many utilities can simply absorb this tax increase—their earnings will still be good enough to absorb it. 'But if their earnings fall below a reasonable level, they'll have to raise their rates.'"

A spokesman for the Federal Power Commission said its tendency has been to approve tax-prompted rate increases on wholesale transactions in the two utilities under its jurisdiction—electricity and natural gas.

Surcharges could be passed on—if the FPC approves—from electric companies to distributing companies and from electric companies to each other before sales to the customer.

"If the FPC does approve such wholesale rate increases," said Rogers, "it would make it doubly difficult for state commissions to block consumer rate increases."

But Rogers added that there is nothing unusual about the consumer paying higher rates to compensate a utility for tax increases. "Income tax is already dealt with that way" he said, "This wouldn't be any different."

Already, the Southern Bell Telephone Co. in Florida has decided to pass the surtax on to consumers. The Florida Public Service Commission has approved a 2.8 per cent increase or 16 cents on a bill of \$5.80. Also, the Florida Power and Light Co. upped its bills 3 per cent last week.

GUN CONTROL LEGISLATION

Mr. BAKER. Mr. President, for the past several weeks I have given serious consideration to the continuing national debate on the gun control issue. This issue has stirred more emotional reaction than any other since I took office.

Those who oppose any form of gun control legislation contend, in part at least, that the real remedy for correcting

the problem lies in the conscience of man and that no gun law can be effective to deter violent criminal acts. While I would concur that the true remedy does lie in the conscience of man, I cannot accept the thought that no law can be effective in this area. For to say that no law can be effective is to admit the ineffectiveness of Government, and I, for one, am not prepared to make that admission.

The question with which the Senate is confronted is which, if any, of the various gun proposals would be effective to accomplish the legitimate objective of deterring violent acts of crime.

Several major bills are now pending in the Committee on the Judiciary on gun legislation, and the prospects are that, regardless of the bill or bills reported a number of amendments will be offered from the floor of the Senate. Therefore, in general terms I wish to express my views and sentiments in this matter.

I oppose any measure calling for an involved scheme of licensing and registration. I particularly object to a licensing provision coupled with a licensing tax or with the authority of the Federal Government to decide, except in extraordinary circumstances, whether a person is entitled to own or purchase firearms. I am afraid that the trend might be to tax such a license progressively to the point where it becomes impossible or impracticable for an ordinary citizen to own firearms.

In my view, registration and licensing proposals are best left to the consideration of the individual and several States. Clearly, the situation is different in Tennessee than it is in New York or Detroit, and quite different in Arizona than it is in Los Angeles. In this field, I think the flexibility inherent in the Federal system is uniquely valuable. If the State of New York or California chooses to require licensing on a reasonable basis or registration on a similar basis, I would have no objection. But I do not think it should be the subject of Federal legislation, thereby precluding the right of each State to make its own determination according to its own situation and in keeping with its own convictions.

On the other hand, I believe that a proposal for the ban of mail-order sales of all weapons is not objectionable. I would support a reasonable measure for this purpose on the theory that the personal confrontation by the purchaser and the seller in itself would eliminate gross abuse of the privilege to own and keep firearms.

I think a reasonable measure regulating the interstate sale of firearms is essential if the States, individually and according to their own determination, are to pass and effectively enforce their own gun laws. For instance, it would be foolhardy to have the Commonwealth of Kentucky choose to adopt a licensing or registration statute and then permit the circumvention of that statute by mail-order sales from Pennsylvania. Therefore, I think there is considerable merit in a reasonable measure in this field of interstate sale of firearms.

The argument is often made that gun control legislation is likely to produce

observance by the lawful citizenry and flagrant violation by those who intend to commit criminal acts of violence. A suggestion has recently been made that much could be done to prevent this situation by State and Federal statutory enactments requiring a mandatory jail sentence in the case of crimes committed with the unlawful use of firearms. Such a proposal might well have a greater deterrent effect on the criminal element than registration or licensing; and after all, it is the unlawful use of guns rather than firearms themselves that should be regulated and controlled.

LEWIS ODOM TO LEAVE COMMITTEE ON BANKING AND CURRENCY

Mr. PROXMIER. Mr. President, one of the most able and dedicated staff members of the U.S. Senate, Mr. Lewis G. Odom, Jr., has recently announced his intention to resign as Staff Director and General Counsel of the Committee on Banking and Currency at the end of this session. I know every member of the committee shares with me a deep regret to see Lew Odom leave the committee and return to his home State of Alabama to practice law in Montgomery, Ala. His expert advice and counsel will be sorely missed by the members of the Committee on Banking and Currency, which he so ably served.

Lew Odom has had a long and distinguished career in the U.S. Senate. In August of 1955 he became the chief counsel for the Small Business Committee and in July of 1956, he served as executive secretary to the distinguished Senator from Alabama [Mr. SPARKMAN]. In January of 1961 he became Administrative Assistant to Senator SPARKMAN; and in addition, he also served as Staff Director and General Counsel of the Small Business Committee beginning in August of 1961. He held down both jobs until January of 1967, when he assumed his present job of Staff Director and General Counsel of the Committee on Banking and Currency.

Mr. President, it would be possible to fill several pages of the RECORD in praise of Mr. Odom's abilities. But I believe the best testimony to his contribution to public service can be shown by the record of constructive legislation reported by the Committee on Banking and Currency over the last 2 years. Under the able leadership of its chairman, Senator JOHN SPARKMAN, and the expert assistance of Lew Odom, the committee has had two of the most productive years of its history. The actions taken by the committee include:

A milestone housing bill which embarks upon a 10-year program for eradicating all slum housing;

A comprehensive and workable truth-in-lending bill;

A major revision to our mutual fund legislation;

Stronger regulatory safeguards with respect to savings and loan holding companies;

More protection of public insurance funds in the case of savings and loan associations placed in receivership;

Increased protective measures to forestall bank robberies;

Increased competition in municipal bonds by permitting revenue bonds to be underwritten by banks;

Additional consumer protection in the area of interstate land sales;

A new program of national flood insurance;

A new program of Federal reinsurance for riot stricken areas;

A modernization and updating of our credit union laws;

The repeal of the gold cover requirement against Federal Reserve notes in order to defend the dollar; and,

Additional disclosure safeguards in connection with corporate takeovers.

Mr. President, in my 10 years of service on the Committee on Banking and Currency, I cannot recall a more productive or more active year for the committee. Much of the credit must go to the skillful staff work of Lew Odom. A committee staff director has perhaps one of the most difficult jobs in Washington.

In the case of the Banking and Currency Committee, he must work for 14 Senators having sometimes widely differing political views. He must be able to handle an incredibly wide variety of subjects ranging from the intricacies of international finance to the complexities of securities law. Lew Odom was able to handle his difficult assignment with extraordinary competence and ability.

I know that all of the members of the committee will wish to join me in wishing Lew Odom well on his decision to enter private law practice. Although we hate to see him leave, we wish him all possible success.

PRESIDENT JOHNSON STRESSES EDUCATION NEEDS IN CENTRAL AMERICA

Mr. MONTROYA. Mr. President, during President Johnson's recent successful good will trip to Central America, a worldwide first was scored in the all-important field of education for development.

I refer to the program inaugurated by El Salvador with a substantial boost from the United States through a \$1.9 million AID Alliance for Progress loan to establish the world's first pilot all-nation instructional television system.

We all know of the President's special interest in education, and in television as a means of spreading the benefits of increased knowledge on all levels to the developing areas of the world.

In his remarks in San Salvador, President Johnson spoke in glowing terms of the role of education in binding together the destinies of peoples and regions. He said that education will mirror the new patriotism which "leaps over boundaries and joins hands and creates a strong, dignified present, laying the groundwork for a just tomorrow."

President Johnson emphasized his extreme pleasure over the fact that El Salvador would be the first nation in all the world with a complete educational television system. He assured his audience that he was going to do everything he could to see that the fruits of technology in this great new technique of television are brought to the homes of all the people of all the world.

Growing democracies such as the five republics of Central America cannot hope for progressive change unless their people can break the development barrier through the printed word. Peace and cooperation between nations cannot be secured unless the great masses of men learn to reason together and appreciate the values of cultures besides their own.

Central America has already made great strides in education. Much of the progress can be traced directly to timely assistance from the United States through the Agency for International Development. The AID experts who man our assistance programs in the Regional Office for Central America and Panama—ROCAP—deserve a great deal of credit for their contributions toward improving the lives of the people of Central America. But only the self-help efforts of these people can win them the ultimate victory over illiteracy, hunger, and disease.

In the 7 years of the Alliance, joint efforts have culminated in the publication and distribution of 8.7 million textbooks for the schools of Central America. Likewise a quarter of a million teaching guides have put new ideas and methods into the hands of the region's educators.

But the normal schools cannot keep up with the needs of the area's burgeoning population. And so we are especially elated over the planned use of educational television there. This innovation, combined with other U.S.-supported programs such as regional centers of higher learning that draw on the talents of each country and microfilm libraries for rapid availability of knowledge will help overcome the obstacles that have impeded progress for centuries.

We are all looking with great anticipation to the day when all Latin America will be joined together in a great regional common market.

We know this key Alliance objective will take years to achieve. But in the meantime, let us rejoice at the great strides made in such subregional groups as the Central American Common Market.

This five-nation group has worked miracles in the short 7-year span of the Alliance, increasing intraregional trade from \$31 million to about a quarter of a billion dollars.

This mammoth effort and the subregional group of six Andean nations, together with the building up of multinational infrastructure works—such as roads, ports and telecommunications for physical integration constitute the central pillars for ultimate Latin American progress through economic integration.

This great dream of regional development will come true and benefit the people only if the social benefits of increased education, health, and decent living help force a solid middle-class to support it.

We have created a great nation through a system of regional cooperation of States within a federal framework. In like fashion our good neighbors in Latin America—with our help—can forge a new, better tomorrow by working shoulder-to-shoulder in pursuit of common goals.

Seven years ago we pledged our support

to these ideals in the historic Charter of Punta del Este. Let us stand back of our pledge to the utmost of our capabilities and firmly maintain our continued support for the Alliance for Progress as it effects a peaceful revolution in the minds and lives of our fellow Americans in Central and South America.

CHAIRMAN DODD OF SPECIAL SUBCOMMITTEE ON HUMAN RIGHTS CITES GENOCIDE AND STARVATION IN BIAFRA

Mr. PROXMIER. Mr. President, the senior Senator from Connecticut [Mr. Dodd] has spoken out on the Nigeria-Biafra tragedy and has asked for immediate, emergency action by the United Nations Security Council. Senator Dodd is not only a member of the Committee on Foreign Relations but was Chairman of the Special Subcommittee on Human Rights. This is the same subcommittee that reported favorably the Conventions on the Political Rights of Women, the Convention on Forced Labor and the Supplementary Slavery Convention. Only the Slavery Convention has been ratified by the Senate and it merely follows up Senate ratification of the Slavery Treaty during the Hoover administration.

Senator Dodd spoke last Friday—page 20972 of the CONGRESSIONAL RECORD—and placed in the RECORD articles and letters that show beyond a shadow of a doubt that there now exists in Nigeria-Biafra conditions that no man worthy of the name can contemplate without horror and shame. Thousands die every day. Pestilence and famine, war and death gallop across this land of tragedy. And, indeed, it is a land of tragedy not only for those who are crushed under the hooves of these apocalyptic horsemen. This is land of tragedy for all men. This is a time of tragedy for all men. And yet it is a time of opportunity for all men.

Mr. President, relief is being sent in the form of food and medicines. Efforts are being made to convince both sides of the self-defeating nature of what they are doing: Creating in both regions and between tribes and religions and peoples of differing political persuasions a hatred that will be very difficult to erase. The United States has sent aid to the starving from both private and public sources. Senator Dodd and I, and others, saw that the United Nations take immediate action based on Security Council decisions. Pope Paul VI, after receiving reports of two papal delegates on the scene, has sent aid to the starving, and has issued a condemnation of almost unprecedented severity against this unbelievable inhumanity of brother to brother.

Yet, while Nigeria is only a few hours jet flight from Washington, genocide again rears its loathsome head, the Senate still refuses to ratify the Genocide Convention and other human rights conventions. "Genocide" is an ugly word, but its verbal unpleasantness palls beside the sickening pictures that the national magazines have carried in the past several weeks. "Genocide" sounds almost polite except when reading of the murders of the wounded and maimed. "Genocide" sounds almost respectable except when one realizes that right now thou-

sands of innocent women and children are dying from starvation.

What in God's name, Mr. President, does it take to move the Senate to do no more than to ratify these conventions and place the United States formally on record concerning the Genocide Convention and the other international guarantees of human rights?

The United Nations has been asked to act. But what would the United Nations have been able to do had the United States, years and years ago, taken the steps that would perhaps have provided the international mechanism for the prevention of exactly what every man now has before his eyes.

The time has come for the United States to reorder our most basic priorities and place the sacredness of the individual and his rights first. A reordering of these basic priorities will do more to facilitate the reordering of our material priorities than any other means.

Mr. President, I hesitate to say it, but say it I must: There is responsibility here, and we all share it. Let us now act and act soon, to ratify these pending Human Rights Conventions, including the Convention on Genocide.

The United States is well able to take care of its reputation and security. An investigation of any situation in the world will vindicate us of any spurious charges brought by our adversaries. But others now need our protection. Ratify the Human Rights Conventions now so that we will not be required to sit by and let millions die in the future because of concern for our image.

HOW TO SAVE BILLIONS OF TAX DOLLARS

Mr. PEARSON. Mr. President, the cost of Government has become truly enormous. The fiscal 1969 budget, for example, will have the Federal bureaucracy spending \$19.9 million every hour of every day of the year. The exercise of public administration has not only become more expensive it has also become vastly more complex and many feel—needlessly confusing. For example, 18 separate agencies are conducting programs to improve the natural environment while eight cabinet departments and 12 different agencies are involved in health.

The latest estimates indicate that 150 separate departments, agencies, bureaus, and so forth in Washington, plus over 400 regional and area field offices, are handling programs for local government agencies through 459 separate channels.

Mr. President, a few weeks ago the distinguished Senator from Connecticut [Mr. Ribicoff] and I introduced a bill—S. 3640—to help reduce these heavy expenses where possible and to bring greater efficiency and clarity to the organization and conduct of public business. This bill, which is now sponsored by 61 Senators, is the product of extensive hearings on our two original proposals—S. 47 and S. 2116—and is patterned on the legislation establishing the first two Hoover Commissions.

The July 1968 issue of Nation's Business contains a thoroughgoing article on the need for Executive reform which

probes in some detail many of the problems raised by the enormous growth our Government has sustained in the 13 years since the last Hoover Commission submitted its report.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

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

[From Nation's Business, July 1968]

HOW TO SAVE BILLIONS IN TAX DOLLARS

"The time is ripe for a general overhauling, for going through the government with a fine-tooth comb and for casting some light into all the many dark places."

With these words the Senate Committee on Expenditures in the Executive Departments 21 years ago helped launch the historic Hoover Commission (headed by former President Herbert Hoover) which conducted a sweeping study of the federal government resulting in savings of billions of taxpayer dollars.

The time is even more ripe today, many believe, to delve into evidence of government waste, overlapping and duplication.

Since 1955—when a second Hoover Commission made its final report to the people—the federal budget has doubled and domestic spending alone has skyrocketed 170 per cent.

The fiscal 1969 federal budget of \$186 billion means that we will soon be spending \$19.9 million every hour of every day.

An effort has been underway in Congress to create a new Hoover-type Commission. This has been greatly intensified in the current session of Congress and might have succeeded with a little push from the White House.

Congressional support for the proposal is now so broad that legislation for a new Hoover Commission could clear the Ninety-first Congress opening in January. In fact, there is a strong likelihood that both Republican and Democratic nominees—whoever they may be—will come out for some form of a wide-ranging study of the government's operations.

The government has become so vast, so complex, it is difficult even for experts to determine what agency is doing what, for whom and what it costs.

TOO MANY COOKS

At last count, 150 separate departments, agencies, bureaus and boards in Washington—plus over 400 regional and area field offices—were piping programs to states, cities and individuals through 459 separate channels.

This is the count of Sen. Abraham Ribicoff, chairman of the Senate Subcommittee on Executive Reorganization and author of one of many bills calling for a new study of the executive branch of the government.

Few people realize that overlapping government now has:

Eight Cabinet departments and 12 agencies involved in health.

Eighteen separate agencies conducting programs to improve the natural environment.

Eight departments and four agencies operating major credit programs which strongly affect monetary policy.

Ten agencies in three departments managing manpower programs.

"We spend so much time responding to crises that we are unable to anticipate situations before they reach crisis proportions," says Sen. Ribicoff. "Thus, the net result of our massive federal effort in recent years seems to be an instrument of national policy that is unplanned, uncoordinated, unmanaged, and—if these trends continue—unworkable."

The government operates in a sea of paper work. Everything is committed to paper, be

it memo, letter, directive, order, documents of all sorts. Several years ago it was disclosed that Washington's major export was scrap paper.

The Archivist of the United States reports that paper work alone costs about seven per cent of the federal administrative budget, or a total of \$9.5 billion last year. The average cost of a letter in the executive branch has risen to \$2.44, while one page of a directive costs \$300.

Former General Services Administrator Lawson Knott, landlord for the government, has testified:

"During the past eight years we have had to accommodate 6,000 additional employees in the Washington area every year. That is the equivalent of about a 900,000 or one million square-foot building every year."

MANY GRIPES ABOUT BIGNESS

Complaints of big government pour into Washington, from businessmen and private citizens alike. It is a continuing complaint in Congress. Major Congressional committees spend much of their time trying to eliminate waste and duplication. All too often when they correct one situation several new ones crop up someplace else.

The complaints come even from high within government itself. Under Secretary of Commerce Howard J. Samuels comments: "Just as the problems of business have grown enormously in their complexity, so have the problems of government. Business has learned very well how to cope with the new complexities—but government, I'm afraid, has not learned so well. No business today tries to operate by the business methods of even 10 years ago. But government is still trying to run with the methods and structures of 50 years ago. We are suffering from horse-and-buggy government in a supersonic age."

Approximately 60 agencies report directly to the President in addition to 12 cabinet level departments. Such a number, it has been pointed out, far exceeds any reasonable span of executive control.

There are more than 260 federal poverty programs administered by 16 separate departments and agencies. Five agencies are involved in administering federal programs for community water supply, sewers and sewage treatment plants. Three separate programs cater to the treatment of deaf children and over 30 are involved in the training of teachers.

Also, 15 different federal departments and agencies administer 79 different training and education programs. And nine separate programs deal with job recruitment, while at least five subsidize on-the-job training projects.

Everything in Washington calls for a plan. If you want to build a multimillion-dollar dam in Arizona or a one-room school house in Appalachia, you must have a plan.

According to a list developed by the Bureau of the Budget—and this was almost two years ago—there were at least 93 programs, administered by 38 bureaus and offices in 13 departments and agencies which required some kind of planning. Of these 93 programs, 67 required state plans and 14 required project plans; 18 called for conformance with an area-wide comprehensive plan and 12 required conformance with an area-wide functional plan.

If Washington is submerged in paper work, it is drowning in committees. There are literally hundreds of interagency coordinating councils, committees, task forces and agreements of varying size, membership, importance and effectiveness.

It is surprising that any Cabinet member ever gets around to the important tasks of decision and policy making. Take, as only one example, the Secretary of Health, Education, and Welfare. He is chairman of six interagency groups, sits on 22 others and designates a representative to an additional six.

To augment these 34 groups, the Office of Education is involved in 33 such activities, the Vocational Rehabilitation Administration in 26, and the Welfare Administration in 15—for an over-all departmental total of 108.

Rep. Charles McC. Mathias Jr., Maryland Republican, who has been joined by over 40 cosponsors in seeking some form of Hoover-type Commission investigation, points out:

"Some agencies are fat; others are thin. Some offices are weak; others are muscle-bound. Some are experimenting with the most advanced techniques of systems analysis and management; others have had to be dragged, kicking and screaming, into this decade."

"It is this very lack of uniformity, this absence of consistency or coherence, which has convinced me that managerial reforms, to be effective, must be broad and deep."

CAN'T TELL THE PLAYERS . . .

Pity the small town or community—to say nothing of the individual—who has to look to Washington for federal assistance. Even members of Congress are hard put to run down federal grants-in-aid to help their constituency. They are so numerous and well hidden that highly profitable enterprises have sprung up in Washington to ferret out these grants for a fee. Many large cities have established special offices in Washington with staffs doing nothing but tracking down Federal grants.

The Department of Health, Education and Welfare alone has published a 527-page "Catalog of Federal Programs for Individual and Community Development" containing brief synopses of the grants available. The poverty program's catalog runs to 701 pages. But the real whopper is the "Encyclopedia of U.S. Government Programs" totaling 1,010 pages and listing 8,000 government-aid items.

Since the last Hoover Commission report 13 years ago there have been not only monumental increases in spending and vast enlargement of the federal work force but widespread growth in new government activity.

Three new Cabinet-level departments have been added—HEW, Transportation and Housing and Urban Development. Also, numerous new executive and independent agencies such as NASA, Agency for International Development, Office of Equal Opportunity, the Peace Corps, to name only a few.

Former Budget Director Maurice H. Stans predicts government spending will more than double during the 1960's, regardless of Viet Nam. And he sees little likelihood of a balanced budget at any time in the foreseeable future. Mr. Stans, moreover, believes there is a strong possibility government spending will again double in the 1970's unless some major changes take place.

A good example of what can happen when the federal government, with its multiplicity of programs, descends on a city to help solve its urban problems occurred a while back in Oakland, Calif. In 1½ time seven different federal agencies were operating 140 different programs and this didn't even include welfare activity.

Among the businessmen who have appeared before the Ribicoff committee in support of a new Hoover-type Commission study was Edward R. Bagley, president of Bagley & Co., New Canaan, Conn. Testifying for the Chamber of Commerce of the United States, Mr. Bagley said:

"The exploding federal expenditures of the past three or four years, the huge public debt, mounting annual deficits, century-high interest rates, and the great proliferation of federal programs, all add up to a national crisis of frightening magnitude. The gravity of our fiscal posture cannot be overemphasized. The welfare of the American people is in serious danger. Congress must act and act now."

Mr. Bagley says if the government is unwilling to forego nonessential and postpon-

able federal expenditures then answers should be found to these questions:

How long can the federal government continue to spend and borrow at the present rate?

How disastrous will it be if we continue the inflationary-breeding policy of excessive (deficit) federal spending?

How shall we restore international confidence in the dollar in the face of remarks by foreign bankers that the United States must dampen the boom through tighter money and higher taxes and cut government spending sufficiently to restore a balanced budget?

Rep. Thomas Curtis, Republican of Missouri, is worried that all levels of government—federal, state and local—are constantly expanding their interests and influence to the point they are intervening more and more in what should be the domain of private business. He says:

"Although at times government involvement in business may be necessary, bigness simply for the sake of bigness is wasteful and inefficient, when private enterprise, one of the institutions on which this nation was built, can perform the same services more efficiently and at lower cost."

Government at all levels, two generations ago, was employing—either directly or indirectly—five out of every 100 working people. But by 1965 that figure had jumped to 26 out of 100.

Sen. James B. Pearson, Rep.-Kansas, author of still another Hoover-type bill, says the benefits of such a study would far outweigh its cost to the taxpayer.

For instance, the first Commission investigation, began in 1947, was financed by a Congressional appropriation of \$1,983,000. It was estimated later that the study resulted in savings of more than \$7 billion, not to mention the social benefits that flowed from improved services.

Any study doubtless will focus attention on what many Congressmen and others regard as frivolous undertakings in the name of scientific investigation.

For example, in 1966 a book titled "Social Indicators" was published by the Bureau of Social Science Research. It contained a criticism of the FBI for exaggerating the national crime rate, a charge later vigorously denied by Director J. Edgar Hoover.

The \$231,000 cost of this project was borne by the National Aeronautics and Space Administration. When a reporter asked why the space agency undertook such a subject so far removed from its designated mission the answer was that NASA felt the project would help give it an image of "social concern."

And then there was a research project conducted by the National Institute of Mental Health involving an in-depth study of 200 young married couples. Among the conclusions:

"Suppose two people's personalities fit together well. He is dominant and she is submissive. They both like pot roast and 'Peyton Place.' They will be good companions, a good team. On the other hand, it is at least possible that such a marriage will be merely dull."

Conley H. Dillon, professor of government and politics at the University of Maryland, says federal aid to state and local governments reached \$14.6 billion last year. Over 92,000 governmental entities are involved in administering these complicated programs, he points out.

"With the federal grants-in-aid programs, supporting every aspect of state and local government," he says, "isolated reorganization of these units cannot be effective unless significant change is made in federal policies and administration."

Among the many advocates of a government study of some type is Chairman Wilbur Mills of the House Ways and Means Committee, an ardent believer in sound fiscal management in government. He favors a

Government Program Evaluation Commission.

Such a commission would make a broad study and evaluation of all existing federal programs (old and new) as well as of projected expansions of these programs.

Early this year the Advisory Commission on Intergovernmental Relations put in remarkably sharp focus the question of what all this boils down to when it reported:

"America's federal system is on trial today as never before in this century of crisis and change. Throughout the nation's history, a distinguishing feature of the federal system has been its remarkable capacity . . . to adapt to changing demands. But now the rate at which circumstances and demands shift and change is of a totally different magnitude and imposes a new dimension.

"Despite this new dimension, some policies and attitudes of the federal establishment continue more attuned to the problems and solutions of the Thirties and Forties than to the horizon of the Seventies and Eighties."

ACCOMMODATION WITH CHINA BY THAILAND

Mr. McGEE. Mr. President, from Bangkok, Columnist Carl T. Rowan wrote, in a column published in the Washington Sunday Star, that Thailand is eager to reach an accommodation with China. Rowan did not say that Thailand expected to reach such an accommodation, but that it sought one because of fears that the United States was slipping toward an isolationist policy which would greatly endanger the free nations of Asia.

Mr. Rowan's column, based, it appears, on considerable discussion with Thailand's Foreign Minister and our great ally, Thanat Khoman, should be an illuminating piece of journalism for all of us. I ask unanimous consent that it be printed in the RECORD.

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

WORRIED THAILAND NODS TOWARD CHINA (By Carl T. Rowan)

BANGKOK, THAILAND.—Although deeply committed to and compromised by the war in Vietnam, Thailand is eager to reach an accommodation with Communist China.

Thailand would initiate efforts to get Red China into the United Nations and the various regional organizations of Southeast Asia if Peking would just express a willingness to work peacefully with the countries of this area, I was told by Thanat Khoman, Thailand's foreign minister.

While leading Thais have spoken before of a need for a regional peace arrangement with Red China, Thanat went further in expressing Thailand's willingness to take steps to placate China than any top official previously has done. Thailand has never recognized the Peking regime and has been diplomatically aloof for two decades.

The foreign minister's comments, in a lengthy interview, reveal much about Thailand's growing concern on three points.

First, the Thai government notes that it now faces serious Vietnam-type guerrilla uprisings not merely in the Northeast, but in three other areas. It believes that the support and direction of these insurgents flows directly from a hostile Chinese mainland.

Second, the Thais note growing American weariness with the war in Vietnam. Officials here fear that a settlement in Vietnam will enable the Communists to step up the "war of liberation" against Thailand. And the Thais have reason to doubt that, having

escaped the Vietnam quagmire, the United States would undertake to defend Thailand militarily.

Third, Thai officials have seen not only in Vietnam but in their own country the huge amounts of manpower and resources that must be devoted to defense against a guerrilla uprising. They would rather avoid having to divert money and manpower into this kind of war.

All these factors are motivating Thailand to search for some kind of "peaceful coexistence" with Communist China.

Thailand is anything but neutral today. It is perhaps the staunchest Asian member of SEATO. Well over half of the bombing attacks on North Vietnam and on the infiltration routes in Laos are flown from Thai bases. Ten thousand more Thai combat troops are scheduled to go to Vietnam this year.

Yet, I got the impression that Thailand could easily move toward neutrality if Peking would drop its policy of unyielding belligerence.

"We are not anti-Communist, anti-Chinese, or anti-North Vietnamese," Thanat told me. "It is the other way around. They are anti-Thai, anti-Burmese, anti-Indian, anti-Indonesian. They are pressuring Ceylon, Nepal, even Cambodia."

The articulate foreign minister made it clear that Thailand wants a settlement of the Vietnam war—but "not a quick patchwork thing that will have to be done over again in six months or a year."

Thanat wants Vietnam peace arrangements to be a prelude to a general settlement for all Southeast Asia, with Communist China and the United States participating.

But Thanat clearly does not expect a positive response from the Chinese.

"Peking has made it clear that the Chinese don't intend to rest on their laurels in Southeast Asia," said Thanat, whose country has been publicly designated by Red China as the prime target after Vietnam.

So Thanat—and other Thais—are disturbed by what they consider growing tendencies toward isolation in the U.S.

"U.S. withdrawal from Southeast Asia into Fortress America will not stop the Chinese from going after you," Thanat said. "They are in a struggle to control the world, so the United States is their enemy, whether in Saigon or Kansas City."

The Thai foreign minister professes sadness over what he sees taking place in America.

"While the Soviet Union expands into the Mediterranean, the Middle East, the Indian Ocean, Americans talk of withdrawing from the world. I cannot understand people consciously deciding to make their country a third-rate power," he said.

Thanat is irritated at the notion that he is an incurable hawk on Vietnam and the general question of world communism.

"It's ridiculous to talk of hawks and doves," he says. "Those are tendentious clichés. It's a matter of peace and war, life and death for us, not a question of hawks and doves."

It would seem that, on the life and death matter of how to deal with Red China, Thanat and his Thai colleagues would like to hedge their bets.

DEDICATION OF MOHAMMAD REZA PAHLAVI BUILDING, UNIVERSITY OF CHICAGO

Mr. PERCY. Mr. President, I am pleased to ask unanimous consent to have printed in the RECORD the statements of His Imperial Majesty the Shah of Iran, Chancellor George Wells Beadle, of the University of Chicago, and Dr. William Polk, director of the Center for

Middle Eastern Studies in the Adlai Stevenson Institute, on the occasion of the site dedication ceremonies for the Mohammad Reza Pahlavi Building at the University of Chicago in June 1968.

This building, made possible through the generosity of the Shah, will house the university's Center for Middle Eastern Studies and the Adlai Stevenson Institute of International Affairs.

As a graduate and trustee of the University of Chicago, I deeply appreciate this gift which will enable the university to make new contributions to the understanding of Middle Eastern civilizations and of United States-Middle Eastern relations.

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

REMARKS EXCHANGED AT A SITE DEDICATION OF THE MOHAMMAD REZA PAHLAVI BUILDING AT THE UNIVERSITY OF CHICAGO, JUNE 15, 1968

Chancellor BEADLE. Your Imperial Majesty, Excellencies, distinguished guests, and colleagues, we are gathered here to dedicate the site of the Pahlavi Building, which has been made possible through the most generous gift of His Imperial Majesty Mohammad Reza Pahlavi the Shahanshah of Iran. His presence at this ceremony gives us an opportunity to express personally our appreciation for this magnificent gift. Ever since the University's founding, members of the faculty have studied the Middle East. We have today a community of scholars who have made major contributions to international and intercultural understanding in that most important area of the world. The Pahlavi Building will bring these scholars together in what we think will be the most comprehensive program of Middle Eastern studies in the Western Hemisphere.

I know his Majesty is well aware of the importance of such studies to better understanding among the people of the world. His far-sightedness will result in a facility which will have powerful educational and cultural implications. My colleagues and I wish to thank his Imperial Majesty, his government and his people for this most significant gift. It will stand as a symbol of the deepening ties between our two nations and as a lasting tribute to our distinguished guest and the entire Iranian nation. Your Imperial Majesty, you will do us additional honor if you will consent now to unveil the plaque.

(Dr. Beadle, reading plaque: The Pahlavi Building of the University of Chicago. A gift of the government of Iran. Site dedicated June 15, 1968 by his Imperial Majesty Mohammad Reza Pahlavi Aryamehr, Shahanshah of Iran.)

His Imperial Majesty: It is really a source of gratification for me to be able to unveil this commemorative plaque today. The significance of this building is to show that we are not at all jealous that some of our most beautiful monuments and vestiges of the past are found away in museums outside our country. On the contrary, we believe that these beautiful things belong to humanity, and in order to prove this belief of ours we want to contribute to the creation of this center in the beautiful city of Chicago. We are grateful that your university has afforded this opportunity and that on your own you are going to also make very substantial and meritorious efforts to complete the building and render it a center of study, especially of Persian studies. Thank you.

REMARKS EXCHANGED AT A DINNER IN HONOR OF HIS IMPERIAL MAJESTY, THE SHAH OF IRAN, AT THE ORIENTAL INSTITUTE OF THE UNIVERSITY OF CHICAGO, JUNE 14, 1968

Chancellor BEADLE. Your Imperial Majesty, Excellencies, distinguished guests, and col-

leagues, I now wish to present to you Mr. William Polk, professor of history and director of the Center for Middle Eastern Studies in the Adlai Stevenson Institute, Mr. Polk.

Dr. POLK. Your Imperial Majesty, Mr. President, distinguished guests, and colleagues, it is an extraordinarily great pleasure for me to welcome you to this auspicious occasion, as you know, His Imperial Majesty the Shahinshah has generously donated to the University of Chicago three million dollars to enable the university to build what could be the most comprehensive program in the study of the civilization of Iran in any Western university, as well as the magnificent new building to house the Center for Middle Eastern Studies and the Adlai Stevenson Institute of International Affairs, this is the most spectacular and generous contribution ever given to a private American institution by another government, in response, the University of Chicago has agreed to create two additional professorships in Iranian civilization.

Clearly, we have here the makings of a magnificent new venture in the American academic community. American interest in the Middle East is almost as old as our national academic life. However, until quite recently, the interest has been almost exclusively confined to studies of the ancient Near East. Contemporary American interest in the modern Middle East has developed from pragmatic origins. Their original purpose during and immediately after WWII was to illuminate part of the world in which America was becoming increasingly involved. Particularly after the enunciation of the Truman Doctrine, it became clear that large numbers of Americans would be needed to carry out programs associated with that doctrine and American universities, essentially funded by the Federal Government, undertook to train the men that were needed.

It is an astonishing fact that today there are 300 American universities with extensive offerings on the Middle East, obviously, the vast majority of these concentrate on general survey courses and language instruction. It has been rare that a university has been able to offer a wide range of subjects, and to gather together the highly trained and diverse staff necessary to offer a comprehensive and sophisticated program.

Among American universities, the University of Chicago is outstanding in these regards. In the languages and civilizations of the Middle East this university assembles almost 70 faculty members. Together, they offer perhaps the richest combination in the Western World. Those comprising the Middle Eastern are spread over such disciplines as history, anthropology, political science, geography, linguistics, literature and other fields. Today a new situation has arisen. We no longer need to set our sights as low as in the past, and we no longer need work in simply the basic skills. Rather we can afford to attempt a major humanistic and broad program, aimed at a highly sophisticated approach to the entire range of middle Eastern studies. It is this which makes this great venture on behalf of the government of Iran and the university so tremendously important at the university.

Now let me turn to what has been happening in Iran in the past few years. The first of these factors, as affects this situation is education. In 1940, just before our royal guest became the Shahanshah, Iran had 287,000 students in primary schools. Ten years later in 1950, that number had not quite doubled. In the next decade, ending in 1960, it almost quadrupled, and now in 1968 there are more than two million Iranian students in primary schools.

The growth in the number of secondary school students has been even more spectacular. In 1940, Iran had less than 30,000

students in secondary schools and today has almost half a million. Today there are 25,000 students in universities in Iran and approximately 20,000 outside of Iran. New universities have been begun in Shiraz and the Chancellor of that university, his excellency Mr. Alam, is with us this evening. Iran has a new technical institute modeled on M.I.T., and such old universities as Bandar Shapur, founded in approximately 420 A.D., are being rebuilt today. Modern Iranians have perhaps unconsciously adopted the ancient Zoroastrian prayer: "Oh Ahura Mazda, endow me with an educated child." It is in this spirit that his master took the lead in suggesting to the nations of the world that each contribution to UNESCO, as Iran offered to do, the cost of one day's defense budget to help stamp out worldwide illiteracy.

The fight against illiteracy, however, is only one phase of what is happening today in Iran. As a means of stimulating agricultural production and giving the people of Iran the wherewithal to participate in economic growth, and as a measure of social justice, the Iranian Government undertook in 1962 a massive program of land reform. Other programs have comprised woman suffrage, profit-sharing programs for industrial workers, a literacy corps and a health corps, and all of these have quickened the social and economic power of the country.

The bulk of the oil revenues of Iran for many years have been used to stimulate internal development. The first seven-year plan went into effect in 1947 and this was followed quickly after by a second plan. Under the second plan a billion and a quarter dollars was invested in the Iranian economy and the third plan has just ended in March of this year. The results of these investments are rapidly becoming evident all across the country. Iran is quickening with a new economic energy, factories are being installed in many parts of the country, roadways are now fanned out to connect the major population centers which even a short generation ago would have difficult access, new hotels and airports have catered to the ubiquitous tourist, a fourth major development plan is now beginning, under this plan \$11.2 billion are being invested in the country. The plan aims, among other things at stamping out illiteracy, building a national electrical grid, supplying the major cities with natural gas and building major industrial complexes.

It is noteworthy that in many of these undertakings, Iran is reinforcing its independent posture by encouraging the participation of all major industrial nations. For example, in the various aspects of the new steel complex, are American, Soviet, British, German and French ventures. Reflecting these impressive changes, the average Iranian is today living better than ever before. The per capita income of Iran is approximately \$250 a year, which makes it the fifth in Asia, and in the last five years it has grown between 8-11 percent yearly, under the new plan the economy is expected to grow at the rate of 9 percent a year or almost double the world average.

In its external relations, Iran has joined with Turkey and Pakistan to form a new association, the regional cooperation for development, which promises to become increasingly a major force for peace and stability in Asia, contributing directly to this, his majesty the Shahanshah's personal efforts were bent on bringing to a conclusion the dispute between Pakistan and Afghanistan which threatened to disrupt Asian affairs five years ago.

The task so far undertaken has not been easy, much remains to be done, in a very real sense, the task for Iran can be regarded as a reflection of its landscape, snow-capped mountains, arid deserts, difficult defiles have all presented the people with the challenge of nature. Yet I think it is not without mean-

ing for all of us that the very word "paradise" has come from the Persian language. Their paradise is man-made, not the casual gift of a bountiful nature to be polluted or spoiled by man, but an opportunity to be wrested by men from hostile deserts, through prodigious labor, care and thought.

In conclusion, let me borrow the words of the great English orientalist, Sir Richard Burton, the translator of the Arabian Nights, a man in whose words as in whose deeds there were no shades of gray but simple, strong, indeed middle eastern glaring lights and dark shadows. He said, "the gifted Iranian race, physically the noblest and most beautiful of all known to me, has exercised upon world history an amount of influence which has not been fully recognized." And he referred to the Persian language as the richest and most charming of the Eastern languages. It is doubtless a mixture of justifiable pride in the rich, varied and beautiful fruits of a thousand years of Persian culture. The desire which we have long shared to bind closer the ties of our friendship and mutual respect which has led his imperial majesty the Shahanshah, the government and the people of Iran to offer the University of Chicago this magnificent gift. Thank you.

Chancellor BEADLE. Thank you Mr. Polk. This is indeed an important day for the University of Chicago. Mr. Polk has called your attention to the enduring and deepening ties between Iran and the United States and the remarkable accomplishments of Iran under the leadership of our distinguished guest. Certainly one sign of these deepening ties and impressive achievements is the most generous gift to which brings us together this evening. I should like to take this opportunity to thank his imperial majesty the Shah of Iran for this magnificent gift, a gift whose educational and cultural implications will go far beyond the university's limited boundaries.

The University of Chicago pioneered middle eastern studies in America. The Pahlavi building will enable us to foster a major advance in scholarship and research in this vital area. It will stimulate a more sensitive awareness and understanding of the special qualities of middle eastern societies and culture. There has never, perhaps, been so great a need for objective analysis of the problems that beset mankind today. It is essential that we achieve deep and sensitive understanding of all nations and all men. This cannot be done quickly or superficially. It must result from long, intensive study. The farsightedness of his imperial majesty demonstrated by the establishment of this important research and teaching center will enable the University of Chicago to continue on this path. With the Pahlavi building scholars will probe many of the problems of the contemporary world.

Faculty members of the Center of Middle Eastern Studies are concerned with a variety of disciplines. They have pursued research from Morocco to Pakistan from the beginning of the Islamic age to the present time. Included are some of America's, and indeed the world's, most creative scholars. Humanists have investigated the great Islamic thinkers whose work continues to influence life in the contemporary Middle East. These studies have brought an awareness of the scientific and intellectual achievements of the Middle East which has influenced and enriched Western thought. Our social scientists have concerned themselves with subjects ranging from the problems of irrigation to social, educational and economic change in the Middle East. It is impossible to do more than suggest the wide range of work in this area. In fact, one of the most exciting things about the Center for Middle Eastern Studies is the opportunity it affords scholars in many fields to tackle together what had previously been separate intellectual problems.

This interdisciplinary character is true of the Adlai Stevenson Institute of International Affairs which will also be housed in the Pahlavi building. The Institute appoints fellows from throughout the world to study crucial international issues. It is therefore especially appropriate that Your Majesty has made available to the university this superb building which will give our scholars the physical unity to match their intellectual unity. I think you will agree that the design for the Pahlavi Building is a great esthetic as well as functional achievement. Throughout, the building stresses classical Iranian motifs. We have at this moment Iranian consultants concerned with lending a true Persian atmosphere to the building. One of the more delightful features will be specially designed Persian gardens which we hope will bring to the university some of the grace and repose found in your own country. Through the generosity of his Imperial Majesty the University of Chicago expects to develop what will become the most comprehensive program in Persian studies in the Western Hemisphere. The Pahlavi Building will be a powerful instrument for international and intercultural understanding, a truly lasting tribute to Your Majesty and the entire Persian nation.

(Chancellor Beadle's remarks were followed by the introduction of Mr. Walter Natch, designer of the Mohammad Reza Pahlavi Building to be constructed at the University of Chicago. Mr. Natch unveiled a model of the building. Following this, a formal toast was proposed to His Majesty the Shahanshah by Herman Dunlap Smith, who is both a trustee of the University of Chicago and president of the Adlai Stevenson Institute for International Studies. His Majesty's response follows.)

HIS IMPERIAL MAJESTY. Mr. President, distinguished guests, since I set foot on the beautiful American soil a few days ago in New York, I have emptied my cerebral capacities, talking in New York, Washington—and yesterday at Harvard, and also felt a loss of physical weight by getting up to 39,000 feet in less than one minute as we soared at twice the speed of sound.

I feel the inspiration that one gets in a room like this. I have few words to say, as one of the inspirations between all this beauty of the past, of the artisans and the artists who have created beauty like this, would be to remain silent, on the other hand, all of this past is intriguing. I am not referring to the novels of exotic history, but rather to the projection of the image of the east, of our own civilization.

We want to perpetuate our past, not only because we are part of it but because it can perhaps contribute in some way, maybe in many ways, to the solving of the present problems of our society. We take pride in having been able to contribute in your beautiful city to the foundation for the continuance of the efforts that this university has undertaken, so as to remind us, through the knowledge of mankind, of the vestiges of the past and, in this instance, of the vestiges of my own country.

Our history is an old one. We believe that we have 3,000 years of written history. Soon we shall celebrate the 2,500th anniversary of our monarchy. It has lasted through the vicissitudes of time. Many people predicted that it could not continue, but it has, for some reason or another, and today the monarchy of our country tries to be the faithful servant of the people.

Mr. Polk told you about some features of what we are doing. I would like to add that in this national resurrection of ours, in the literacy corps that we have formed, in this society which is one of co-operation, a society of participation, women are playing, and will continue to play, a very major role, and I can assure you that they do it so earnestly and with a faith that it is very moving. We remember that five years ago, they did not even have the right to vote. Be-

fore my father's time, they could not come out of their houses without black veils over their faces and bodies.

Mr. Polk told you about contrasts—snow-capped mountains and deserts. I will give you another kind of contrast. I am a very religious man, but my success was to put our creeds in the right place. My education was very democratic, but we think that license and the freedom to betray one's country is not permissible. It cannot be. It serves neither the freedom of individuals nor groups and cannot serve mankind and humanity.

With this building and what it represents, with the very serious studies that will be undertaken here in this center, with the projection of the image of our country in the past and also I hope by presenting the new Iran, we shall try to make our contribution to the march of time, to the progress of civilization.

Thank you very much.

McGEE SENATE INTERNSHIP CONTEST

Mr. McGEE. Mr. President, for several years it has been my good fortune to be able to conduct for high school students in my State of Wyoming the McGee Senate internship contest, which brings back to Washington one boy and one girl for a week of observing democracy in action—here in the Senate and in Washington.

As a part of the contest each student was required to complete an essay on "What's a Fair Draft Policy?" This year, as I am each year, I was impressed with the depth of understanding and the dedication to our democratic principles displayed by these young people in their essays. This topic is one of vital interest to this age group, and their essays reflect sound reasoning which should be of interest to us all. For the participants, the topic took on added importance when it was subsequently chosen as the national high school debate topic.

Of course, it would be impossible for everyone to read all these essays, but I think some of the most outstanding ones selected by an impartial panel of three judges should receive wider circulation, and I ask unanimous consent that two of these essays, written by Miss Theresa Clow, of Rawlins, Wyo., and Mike Melinkovich, of Rock Springs, Wyo., which received honorable mention in the McGee Senate internship contest, be printed in the RECORD.

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

WHAT IS A FAIR DRAFT POLICY?

(By Theresa Clow, Rawlins, Wyo.)

My suggestion for a "Fair Draft Policy" would include three major provisions. The draft laws of today, based on selective service, are a contradiction of our United States Constitution. The Constitution states the belief that all men are equal. Therefore, shouldn't all men be obligated to serve their country instead of just a select minority? The only equal and fair draft is a total draft. All truly loyal United States citizens can and should serve their country in some way. To do this, such programs as the Peace Corps and Vista should be included in the draft policy. In this way people with religious or moral convictions against war and people handicapped or unable to serve militarily could fight poverty, disease, and ignorance, major causes of political unrest and war.

With the roles and opportunities of today's modern woman, she should definitely

serve her country. Through the years women have gained the privileges to vote and compete with men on an equal basis for education and jobs. In the armed services many secretarial and medical positions could be competently filled by women. The protection of our freedom and democratic way of life is also a woman's responsibility.

Our draft laws should be converted from a Selective Service program to a lottery program. In this way each citizen regardless of social position, handicap, race, or religious standing would have an equal chance to serve his country. This would replace the policy for deferments and selection with standardized and unbiased draft laws. Upon being drafted people would be classified according to their sex, ability, and personal preference. Each citizen would have a choice to serve in a branch of the military service, Peace Corps, or Vista. In time of war more military volunteers will be needed. During such an emergency, only persons possessing physical or mental handicaps or those having valid religious convictions against war should be exempt from actual military service.

Finally, once a person volunteers or is drafted he should be granted other special privileges. The most important of these would be the right to vote regardless of age. Service personnel are definitely more closely associated with, and more directly affected by, the decisions of our national leaders.

Our entire draft policy should be reformed to comply with our democratic principles. As it is today, the fields specified by our draft limit national service to a select minority. The draft program should be expanded to include all citizens regardless of their race, handicap, sex, financial status, and moral or religious beliefs. During national service many citizens discover careers and goals which lead them to more useful lives. Whether they remain in the service or use their training as civilians, all Americans deserve the opportunity to be exposed to the many informative and stimulating programs offered in the service. The draft program should be based on our strong democratic principles of equality and freedoms of religion and choice.

WHAT IS A FAIR DRAFT POLICY?

(By Mike Melinkovich, Rock Springs, Wyo.)

In the modern world today, there is still a primitive way for one to get his way—fight for it. And if he is strong enough, then he will get his way. This is also true of nations. Every nation has certain goals, most of them good, but because there are those nations who plan to rule the world, there will always be a need for a country to defend itself. However, it stands to reason, that certain nations don't stand a chance against the strong nation, but they still have a right to their freedom. Because of this right, there must be certain nations that act as protectors. This is where the U.S. can be classified. We are a protecting nation.

This brings out a very serious problem in the U.S. today—how to build our nation's fighting forces. "There have been many proposed draft laws, and in each law there seems to be a flaw or a part that is protested. It stands to reason that there is no perfect draft law." There is always a certain group that will disapprove of certain parts and claim them unjust. Therefore, the conclusion must be drawn that we must settle for the best draft law because a perfect draft law is quite impossible.

There have been many new draft laws proposed and polls taken among students. Here are some of the proposed laws and some results from the polls as reported by *Senior Scholastic*: President Johnson introduced a bill to Congress that would establish a lottery system, replace the local draft boards with 300 to 500 centers located throughout the country which would conscript 19-year-olds first. In response to this,

the House passed a counter measure clearly denying the President the authority to draft college undergraduates or to set up a lottery.

In an opinion poll, juniors and seniors in high school responded to the lottery system with mixed emotions. Half of them felt that it would substitute chance for judgment, that it would not provide a fair hearing for deserving individuals, that it would not enable the armed forces to have the men they want. Although some feel that the lottery system is fair, the only thing the lottery system does is give everyone the same chance, but this point is its weakness. There must be a fair way of handling deferments and fair hearings for certain individuals.

Barry Goldwater felt that a highly paid, all-volunteer army would be the best. The main and a very important flaw in this is the power that lies in the hands of these individuals commanding the fighting force. This power in the wrong hands could, by certain ways, lead to the fall of our country. Under a system like this it might be possible for one, by some means, to take over the U.S. Although a take over by the military is hypothetical, the cost of such an army is very real and would be overwhelming.

Dwight Eisenhower proposed that all young men of a certain age would serve a set period of time. The main problem in this system is also in deferments. Many individuals deserve a fair hearing and college students must be encouraged to go on and help improve our country. This would, instead, change the minds of many individuals because of the time spent between high school and college.

Congressman L. Mendel Rivers, Chairman of the House Armed Service Committee, argues, "The nation should not scrap a time-tested system, particularly during a national emergency. Minor flaws can be corrected without junking the whole system entirely—especially since no better alternative has been offered."

One point that is argued greatly, but can also be considered a strong point, in my view, is the question of deferments. The present system is the only system of all those proposed with deferments granted to certain individuals. The deferments are granted to these certain individuals: (1) supporting dependent (2) special occupation (3) student deferment and (4) physical deferment. Number one, two, and three are deferments that help keep our country strong and not leave the people in the country at a disadvantage. A supporting dependent and one in a special occupation are necessary to keep our country strong. Poverty would boom if all the supporting dependents were drafted, and those occupations necessary to the nation would fail if all the workers were drafted. These things would weaken and set the U.S. back and this is not necessary in order to make a fighting force. Students deferments are given to those who are to go on and help put the U.S. ahead, and they are necessary to its growth. As one college student stated in *Senior Scholastic*—"The country also needs college-trained individuals. Generally speaking, they do more service in society than non-college people." To make educational deferments stronger, there should be a certain grade level set; and this would tend to decrease draft dodgers.

Because of its way of handling deferments that is definitely superior to all other proposed draft laws, because of its personalized selection given by local draft boards; and because of its time-tested dependability; I think that the present draft law stands as the best draft law possible.

WHAT THE AMERICAN FLAG MEANS TO ME

Mr. PEARSON. Mr. President, KLOE radio station, of Wichita, Kans., recent-

ly sponsored an essay contest on the subject "What the American Flag Means to Me." The winners were Marva Stout, of Wichita, and Leslie Lynn Rolf, of Isabel, Kans. I commend KLOE for sponsoring this contest and I congratulate the winners.

I ask unanimous consent that the two essays be printed in the RECORD.

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

WHAT THE AMERICAN FLAG MEANS TO ME

(By Marva Stout, Junior South High School, age 15, Wichita, Kans.)

To me the American flag means, love, freedom, and happiness. It is something I look up and say "It is wonderful to be alive." It reminds me of the great life I live in America. It reminds me of the boys in Viet Nam fighting for their country. It makes me feel proud. It also reminds me of the poor and hungry people which I would like to help very much. It displays the love our father has for us. When I look up at the flag and think what all other people are doing for America, it makes me have goose bumps all over. It also reminds me of some of the tragedies we have had in America. Such as Dr. Martin Luther King being assassinated, and Senator Robert Kennedy. It makes me think what people are trying to prove by killing important men. The American Flag flies high. About as high as I feel when I look up at it. I am proud to stand up and salute our American Flag. And I am proud I am an American. It flies to show we are all proud of our country, and we are all proud to be an American. We stand up for our wonderful country.

WHAT THE AMERICAN FLAG MEANS TO ME

(By Leslie Lynn Rolf, Isabel, Kans.)

As a citizen of the United States of America I, like many others, proudly cherish the American Flag of the United States of America.

The Flag is but a small part of our national heritage. The heritage all Americans share. But to each citizen the American Flag has a personal meaning; a meaning which can only be defined within the heart of that citizen.

June 14, 1968, was Flag Day. Driving through the residential section of a nearby city, I noticed only a few flags being displayed. I wondered if the citizens knew it was Flag day or if many were too busy to go down into the basement and shake the almost permanent wrinkles out of Old Glory. Most of all I felt a blanket of apathy had settled over the area snuffing out the flame of patriotism. Every once in a while this dim sadness was broken by the most beautiful sight of all: The American Flag sporting its red, white, and blue, waving majestically in the gentle breeze, on a throne of velvet green and crowned by the blue of the sky.

The American Flag has many meanings for me.

It means Brotherhood. That strong tie that binds together each man in concern for his country.

It means Faith. The faith we have in one another, in God, and in the principles on which this country was founded.

It means Hope. Hope that someday we may live peacefully among ourselves and with those of other nations.

It means Love. The love we have for our country, and the love for our fellow man. It's the love of God, the supreme being that makes all things possible.

It means Freedom. The freedom that each individual is guaranteed his constitutional privileges that are set forth in the Bill of Rights.

Most of all it means Patriotism: The sincere loyalty to our country, that occupies even the smallest part in any human heart.

The American Flag is our Flag, the Flag of the United States of America. We can be very proud because it signifies liberty and justice for all.

SENATOR PROXMIRE SAYS SURTAX WILL HURT ECONOMY

Mr. HARTKE. Mr. President, the distinguished Senator from Wisconsin [Mr. PROXMIRE], writing as a guest columnist in the business and financial section of the *Washington Post*, of Sunday, July 14, 1968, has cogently observed that the tax increase we have just passed will have its severest impact on those in our economy who are least able to bear it—"the poor and the underprivileged, the last hired and the first fired." As chairman of the Joint Economic Committee, Senator PROXMIRE has been one whose counsel on fiscal matters has contributed much to our understanding of our economy and the interrelationship that our institutions of government have on the formulation of fiscal policy. It is sad commentary—but nonetheless almost empirical truth—that our economic ills, in the context of our overextensive military spending are purported to be cured at the expense of those least fortunate in our society. Senator PROXMIRE's observation that a rational construction of spending priorities may be the resolution to this Hobson's choice of fiscal alternatives is something each of us should carefully consider. The headline above Senator PROXMIRE's column reads: "Proxmire Says Tax Increase Bill Will Hurt Economy."

This is what I have consistently said since the surtax was first proposed. I ask unanimous consent that the article be printed in the RECORD.

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

ECONOMIC IMPACT: PROXMIRE SAYS TAX INCREASE BILL WILL HURT ECONOMY

(By William Proxmire, U.S. Senator from Wisconsin)

(NOTE.—Senator Proxmire is a guest columnist today for *Business and Financial Editor* Hobart Rowen, who is on vacation.)

The just-passed 10-percent tax increase, along with a \$6 billion expenditure cut aims to slow the alleged overexuberance of our economy and slacken the pace of wage-price increase. On numerous occasions, I have criticized the policy of "overkill." But that is another story.

How will it hit the poor? The tax-expenditure package will aggravate poverty. It will depress the economy, as it must, and result in fewer jobs, less income, lower consumption.

Who will bear it? As always: the poor and the underprivileged, the last hired and the first fired.

In addition to those out of work because they lack skills, there is a vast amount of underemployment in our economy, particularly in the ghettos. Possibly 30 per cent of all workers in the ghettos are now underemployed, i.e., they are working at jobs which do not use their capabilities and potential, particularly if appropriate training and education were afforded them. And the jobs pay too little for a decent living.

Pressures are mounting rapidly for providing some income to the poor. Recently, the Nation's mayors passed a resolution favoring a guaranteed annual income. The Gallup poll found overwhelming favor in the general public for the Government as a last-resort employer.

Any of these plans would increase purchasing power and would add to the demands in our economy and thus accentuate inflationary pressures unless we raise taxes or cut other spending to pay for them. Moreover, they would result in at least some people rejecting the jobs at the lowest end of the spectrum unless the pay for doing them were sharply increased; window cleaning, laundry work, garbage collection.

As a result, these unpleasant but necessary services would become much more costly since we would have to pay much higher wages to induce people to perform them. Thus, any of these schemes would add significantly to cost-push inflation in our economy. Guaranteed jobs would be less inflationary than guaranteed income. Work adds to the national economic product. Even then, considerable inflationary impact is bound to occur.

I enthusiastically favor expanded programs for jobs for the poor. But I do not think this Nation is facing up to the issues involved. If we add to the budget for necessary employment and income programs, and we certainly should, then we must face the need for cutting back elsewhere.

Where can we cut back? For starters:

Public works, troop commitments in Germany, and undertakings like the SST, among others. Our military budget is running at about \$82 billion a year, about \$30 billion of which is for the Vietnam war.

Congressional Quarterly, an objective, highly competent publication, has recently written that a whopping \$10.8 billion can be cut from our 1969 defense appropriation without diminishing our combat readiness at all. The article gave Pentagon officers as among its sources.

Won't the end of the Vietnam war solve this? The answer: No.

The end of the Vietnam war will end one million jobs directly, another two million indirectly. That would leave us farther than ever from the mark.

We can't turn around and pour the \$30 billion we now spend on the Vietnam war into the antipoverty war without creating the same economic problem that required us just this summer to hike taxes and cut spending to stop inflation, and in doing so reduce jobs, income, consumption.

A rational construction and enforcement of spending priorities would go a long way to permitting us to ease the plight of the poor without further inflating our economy. But it would not do the whole job. We have to face the fact that our economy is not equipped to deal with the wage-price spiral, a problem that has plagued all of the free economies of the world.

Here is where we need some new trail-blazing breakthroughs in economic thinking. Never in the history of this country has it been possible to get unemployment down to a level that today would still leave more than 2½ million persons out of work without serious inflationary pressure.

Unless we can solve this tough one, our poor are going to continue to be our price stabilizers—via unemployment—and income or job guarantees worthy of the name just won't make it.

FOREST SERVICE EFFORTS IN EMERGENCY WATERSHED WORK

Mr. KUCHEL. Mr. President, one of the results of forest fires, such as those recently experienced in California, is the destruction of the protective vegetative cover on a watershed. This loss of cover results in great potential flood damage since water is not retained by bare, fire-scarred hillsides.

During fiscal year 1968, the U.S. Department of Agriculture's Forest Service, in cooperation with other Federal, State,

and local agencies, has taken emergency restorative measures on more than 62,400 acres of land on three burned areas in California. Emergency measures included aerial grass seeding of burned areas to establish a protective plant cover, channel clearing and stabilization measures, and emergency treatment of roads and fuel-breaks to prevent erosion. This expenditure of \$42,200 of flood prevention emergency funds helped prevent millions of dollars of downstream damages, as well as potential loss of life.

Three wildfires in California received emergency flood prevention assistance during fiscal 1968. These were the Paseo Grande fire in Orange and Riverside Counties; the Reche Canyon fire in San Bernardino County; and the Timber fire in Ventura County. The Paseo Grande fire was a good illustration of the potential dangers loss of cover can cause.

The Paseo Grande fire was the greatest natural disaster in Orange County history. The burn total 48,639 acres, including 4,565 acres of the Cleveland National Forest and 44,074 acres of private land. The fire destroyed the protective cover of vegetation on valuable watershed lands in and adjacent to the Santa Ana Mountains. In addition, it destroyed improvements valued at \$3.2 million and cost a half-million dollars to control.

The burn left steep slopes and highly erosive soils in a 76 square mile area which threatened to generate 2.5 million cubic yards of debris during the winter of 1967-68. This immediate threat of floods, sediment deposits to downstream areas, pollution of water supplies, and impairment of water distribution systems by sediment, ashes, and debris required rapid emergency land treatment. Within the immediate area below the burn even moderate flood damage could have reached \$10 million.

It can be seen that the potential flood and debris flows from these burns seriously threatened downstream life and property. The property susceptible to damage from the burns included highly productive citrus groves, extensive residential property, railroad trackage, highways, power and telephone lines, agricultural product processing plants, very productive farmland, farm improvements and livestock. The cost of debris removal alone could have exceeded \$250,000.

To the credit of all involved, the speedy cooperation of such agencies as the Forest Service, the Soil Conservation Service, the California Division of Forestry, and the local county governments, districts, and agencies allowed emergency restorative work to be accomplished before the winter rains began.

Mr. President, I salute these fine organizations for their performance in these instances of need and thank them for their continuing efforts on behalf of all the people of my State.

ABA COMMITTEE ENDORSES FORTAS AND THORNBERRY

Mr. INOUE. Mr. President, the American Bar Association's prestigious Standing Committee on Federal Judiciary has supported the nominations of Justice Abe Fortas as Chief Justice of the United States and Circuit Judge Homer Thorn-

berry as an Associate Justice of the Supreme Court.

Indeed, the committee has found that both nominees are "highly qualified from the standpoint of professional qualifications."

This is a most significant endorsement, since the committee is composed of 12 members, one from each Federal judicial circuit, one from the District of Columbia and one appointed at large. In making these appointments, great care is taken to select highly prominent members of the bar with broad experience and an extensive background in courtroom work.

The members of this distinguished committee are: Albert E. Jenner, Jr., Chicago, Ill.; Sumner Babcock, Boston, Mass.; Cloyd LaPorte, New York, N.Y.; Robert L. Trescher, Philadelphia, Pa.; Robert T. Barton, Jr., Richmond, Va.; John W. Ball, Jacksonville, Fla.; Harry G. Gault, Flint, Mich.; Barnabas F. Sears, Chicago, Ill.; Roy E. Willy, Sioux Falls, S. Dak.; Glenn R. Jack, Oregon City, Oreg.; Gerald B. Klein, Tulsa, Okla.; and Robert Ash, Washington, D.C.

The chairman of the committee is the distinguished Albert E. Jenner, Jr., of Illinois. Mr. Jenner is past president of the American College of Trial Lawyers, the American Judicature Society, and the National Conference of Bar Association Presidents. More recently, he was appointed by President Johnson to serve as senior trial counsel to the Warren Commission and is now serving as a member of the President's Commission on Violence.

With respect to Supreme Court appointments, the committee's investigation is highly concentrated. After the nominees' files have been analyzed, the entire committee confers on a conference telephone call to discuss the merits of the merits of the appointment and the report to be delivered to the Attorney General. The procedure helps insure a full exchange of views in an atmosphere of confidentiality and candor.

This procedure was followed with respect to the President's nomination of Justice Fortas and Judge Thornberry. The review was somewhat simplified, of course, by the fact that the committee had previously passed upon the qualifications of both nominees. Both men had previously been found qualified for appointments in the Federal judiciary by the committee.

This committee's support for both appointments is doubly persuasive since we know from experience that the committee does not hesitate to oppose nominees it considers unqualified to serve in the Federal judiciary.

The action taken by this distinguished committee documents, dispassionately and without coloration, the essential requirement of any judicial appointment—professional competence. I accept the judgment of the committee and urge Senators to do likewise.

NOMINATIONS TO THE SUPREME COURT

Mr. MORSE. Mr. President, the soundest reply I have yet seen to the

objections raised to the nominations to the Supreme Court appears in the July 8 issue of the Register-Guard of Eugene, Oreg.

The Register-Guard is not in the corner, editorially speaking, of the present administration, having endorsed a Republican candidate for the presidential election.

But in passing judgment upon the nominations of Abe Fortas and Homer Thornberry, the editorial writers have thoroughly demolished the case made to date against these nominations.

I ask unanimous consent that this fine editorial, entitled "Sheer, Raw Politics the Only Reason," be printed in the RECORD.

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

SHEER, RAW POLITICS THE ONLY REASON

Critics of President Johnson's Supreme Court appointments fault them for the worst of all possible reasons, lack of judicial experience. Homer Thornberry, nominated to succeed Abe Fortas as an associate justice, has been a federal judge since 1963. And Justice Fortas, for all that he had no judicial experience before he was appointed to the court in 1965, has now had three years experience. That's more than many have had.

One Oregon newspaper stated baldly that "the founding fathers intended that the Supreme Court be made up of men with prior judicial experience, selected by the president because of this experience." Nothing in the Constitution bears that out. The founding fathers were extremely vague about what this high court was supposed to do. The nation was old enough to join the Boy Scouts before one chief justice, John Marshall, began to pump blood into the court.

Presidents have picked good judges from many segments of the legal profession. The Constitution does not require that a Supreme Court justice even be a lawyer, but it is unthinkable that a President would appoint a man without a legal background.

Some of the best judges, true enough, have come from other federal benches or from state courts. Among them have been Oliver Wendell Holmes and Benjamin Cardozo. President Eisenhower found four of his five appointees—Stewart, Whittaker, Brennan and Harlan—on lower federal courts.

But President Eisenhower's other appointee, and his first, was without judicial experience. He was Earl Warren, whose background was essentially political. That background he shares with three Truman appointees—Clark, Vinson and Burton—and with such other luminaries on the court as Goldberg, Black, and Byrnes.

President Roosevelt turned to the classroom to elevate Professors Frankfurter and Douglas. Some appointees have been personal cronies—Byron White, a friend of the Kennedys, and Abe Fortas and Homer Thornberry, friends of President Johnson.

In the past 31 years, 23 men have been named to the court. Sixteen had no prior judicial experience. Among the great judges without judicial experience are the first chief justice, John Jay, the great John Marshall, Joseph Storey and, of course, Justices Warren and Fortas. Felix Frankfurter, who had no prior judicial experience, once commented that "the correlation between prior judicial experience and fitness for the Supreme Court is zero."

Neither the charge of personal friendship nor the ridiculous charge of "prior experience" should bar Senate confirmation of the Justice Fortas and Judge Thornberry. Nor does the "lame duck" argument hold up. President Eisenhower, a lame duck the mo-

ment he began his second term, appointed Justices Whittaker and Stewart in his last term of office. The only reason for refusing confirmation of the two now under consideration is sheer, raw politics. And if confirmation fails it will be for that reason alone.

RESOLUTION RECOGNIZING POLICE EFFORTS

Mr. HARTKE. Mr. President, I have received an official resolution of the American Federation of Police concerning national recognition of police efforts in combating crime in America. In recent weeks we have seen some of the outstanding achievements which these men perform, but I believe it is important that our citizens acquire an even greater awareness of the too-often unheralded efforts of so many of our law enforcement agents. I ask unanimous consent that the resolution be printed in the RECORD.

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

OFFICIAL RESOLUTION OF THE AMERICAN FEDERATION OF POLICE

Whereas, the American Federation of Police proposes to the President of the United States and to the Congress of the United States that either by public law or by executive order that a medal be struck to honor the heroism and valor of law enforcement officers nationwide, and

Whereas, any law enforcement officer who either sacrifices his life for the preservation of law and order or who greatly endangers his life to defend that of a citizen or comrade in the line of duty, or who by a great act of courage distinguishes himself, that this officer be bestowed this medal at ceremonies to be held each year at the Nation's Capitol, and

Whereas, any other officer who may be injured in the line of duty or may distinguish himself while in the performance of his duties shall also be eligible for a special Congressional or Presidential citation to be awarded each year during National Police Week, and

Whereas, such awards will underline the major contribution made by police officers in keeping our Nation a strong republic that they will contribute to the morale of the police officer, the pride of his own family and direct to the public the major role and service of the professional police officer, and

Whereas, these awards should be judged on the merit of each act that a permanent committee should be appointed representing members of the Congress and members from such other organizations as may be determined by the Congress such as police chiefs, sheriffs, Federal police associations and the American Federation of Police, and the Department of Justice.

Therefore, be it resolved, that the Secretary of the American Federation of Police shall send copies of this proposal to the President of the United States, the Vice President of the United States, Senators and to such other organizations as may be in the interests of the award proposal.

Signed and sealed this 6th day of June, 1968 at Miami, Florida by action of the board of directors.

GERALD S. ARENBERG, Chairman.

Attest:

D. B. BRODE IV, Secretary.

TELEVISION INTERVIEW OF SENATOR BYRD OF WEST VIRGINIA

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD a transcript of

questions asked of me during a television interview on July 10 and my answers thereto.

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

TEXT OF SENATOR BYRD'S TELEVISION INTERVIEW ON GUN CONTROL REGISTRATION, POOR PEOPLE'S TRANSPORTATION COSTS, AND POLITICAL POLLS, JULY 10, 1968.

Question: Senator Byrd, the House of Representatives appears to have sidetracked federal registration of guns. What is your position on this question?

Answer: Well, I do not favor federal legislation requiring the registration and licensing of firearms. However, I do favor federal legislation banning over-the-counter sales of firearms to juveniles and to non-residents and to mental incompetents and I also favor federal legislation banning mail order sales of guns. I think this kind of legislation could go a long way toward preventing traffic in guns to criminals, juveniles, and lunatics.

But I cannot agree with those persons who attempt to brush off the issue by saying that registering a gun is as harmless as registering an automobile or a dog or getting a marriage license. In my judgment, federal legislation requiring the registration and licensing of guns smacks of the police state, whereas registering a dog or an automobile of getting a marriage license is purely a matter of concern to the state and locality.

I believe that any federal law that would require gun registration and licensing places an undue burden on the law-abiding citizen who wants to keep a gun around his house because he is a gun collector or for hunting purposes or to protect himself and his family against marauders and hoodlums. Why place the burden on this law-abiding citizen who is not a threat to the community and who would not commit armed robbery or murder and at the same time have a law which would not reach the criminal? Any individual who has no respect for the laws of the land to begin with is certainly not going to respect and obey a law which says he has to register his gun. Now, if a state wishes to pass legislation requiring gun registration this is a matter for the legislature. But I think this would be going too far for the federal government to pass such a law.

Question: Senator, you threatened to hold up the District of Columbia budget because the District government paid the way home for some of the demonstrators in the Poor People's Campaign. Anonymous private sources have now reimbursed the District. What is your feeling about this matter?

Answer: Well, I think it is simply preposterous for the District government through its welfare department to offer to pay the transportation costs of getting people back to their homes.

The District government has now assured me that the monies have now been reimbursed to the welfare department through private donors. But I think there is a great principle involved here. The District government was put to great costs by the so-called Poor People's Campaign, and I do not believe that it should have to bear the additional burden of getting these people back to their homes. If the District government had been permitted to get by with paying the transportation bill of these demonstrators in this instance it would have established a very bad precedent, and I think that it would pave the way for an invitation, an open invitation, to demonstrators in the future to come to Washington with the idea that the Government would pick up the tab for their return trip.

Now, I believe that the taxpayers of the country should not have to bear the burden. The Southern Christian Leadership Conference brought these people to Washington to camp out on federal property and to harass government agencies and government offi-

cials, and I think that the Southern Christian Leadership Conference can pay their fares back home.

Question: Senator Byrd, Governor Rockefeller is apparently depending heavily on the public opinion polls in his bid for the Republican presidential nomination. Richard Nixon, however, appears to be attempting to downgrade the importance of polls. What is your opinion on the political polls from the standpoint of accuracy?

Answer: I think that polls can be very valuable to a candidate in that they can give him an idea as to what the people are thinking at a particular time. But without in any way attempting to prognosticate the outcome of the race to which you have referred, I doubt that any candidate can hope to win simply on the basis of a good showing in the polls. Under our system, we still have conventions and elections, and the people who vote in the conventions and elections are not usually the people who are likely to be contacted by the pollsters.

There is no doubt in my mind but that the polls have introduced a new dimension into politics, but it is a dimension that is fraught with pitfalls for the voters and for the candidates. The record of the pollsters has been somewhat spotty; and human nature being what it is, and since an individual might tell a pollster one thing while he is thinking something else, I doubt whether the polls can ever be refined to the point where they can be completely dependable and reliable.

THE PROGRESSIVE SPEAKS OUT AGAIN

Mr. NELSON. Mr. President, creative administration was the cornerstone of Dr. Goddard's efforts as head of the Food and Drug Administration. For 2 years Dr. Goddard effectively implemented many new and imaginative proposals, while also vigorously administering the on-going programs of this important agency.

Recently, Progressive magazine praised the fine work of Dr. Goddard. This noted magazine has gained the respect of many intelligent people because of the keen insight it has displayed on both its editorial pages and in its feature articles. This is once again demonstrated in this short article on Dr. Goddard. Therefore, I ask unanimous consent that it be printed in the RECORD.

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

In a brief but brilliant career as Commissioner of the Food and Drug Administration, Dr. James L. Goddard did much to revitalize a regulatory agency that had, under his predecessor, become a willing tool of the industries it was supposed to regulate. He rendered a distinguished service to consumers by mounting a vigorous attack on the shoddy—and dangerous—merchandising techniques of the drug manufacturers.

It was to be expected, of course, that Dr. Goddard would come under industry attack. It was predictable that some members of Congress would make it a point to harass the Commissioner—especially when he was so indiscreet as to suggest that young users of marijuana or LSD should not be stamped for life with the stigma of felony.

Less understandable was the dissatisfaction with FDA's new energy that began to be communicated from the White House and the upper levels of the Department of Health, Education, and Welfare. In various subtle ways—and some not so subtle—they made

it known that they would be just as happy if Dr. Goddard didn't rock the boat.

He leaves the Federal service on July 1, and he will be missed.

CAPTIVE NATIONS

Mr. BROOKE. Mr. President, I would like to speak today on a matter of grave concern to all Americans: the oppression of the captive peoples of the world.

Freedom must never be taken for granted; the millions who do not share our rights must ever be a sign of the long road that lies ahead of us, the road to freedom and opportunity for all people. Many who daily yearn for a democratic and free society are denied its blessings. In many of the nations of Eastern Europe freedom-loving peoples are prevented from exercising the full rights to which they are entitled.

These patient peoples must know that they are not alone in their plight, that our hearts are with them and our hopes are high for their eventual liberation. Let us pray that the recent, hopeful signs of change in such countries as Czechoslovakia will prove to be only the prelude to other, more far-reaching attempts to move the nations of Eastern Europe away from totalitarianism and toward true self-determination.

As we observe Captive Nations Week, it is fitting that we reaffirm our commitment to the ideals of freedom and reinforce our will to help all men free themselves from political, economic, and social oppression.

RESPONSIBLE CUTS IN DEFENSE SPENDING—A SENATORIAL HOW-TO-DO-IT KIT

Mr. CLARK. Mr. President, according to information which I have received, it appears likely that the Department of Defense appropriation bill for fiscal year 1969 will be coming to the Senate floor within the next 2 weeks or so. In addition, the military construction appropriation bill will also be coming to the floor before very long.

In order to help Senators prepare for the debate on these vital measures, I should like to insert various materials in the RECORD. I ask unanimous consent that there be printed in the RECORD at the conclusion of my remarks, first, an article from Congressional Quarterly magazine, June 28, 1968, entitled "Defense Budget Cuts of \$11 Billion Seen Feasible"; second, a series of memorandums analyzing DOD proposals and justifications, and presenting counterarguments on the following subjects: "Fast Deployment Logistic Ships—FDL"; "C-5A Galaxy aircraft"; "Manned Orbiting Laboratory—MOL"; "Poseidon and Minuteman III"; "Department of Defense Manpower"; and "Chemical and Biological Warfare"; and third, a memorandum entitled "Is the MOL Necessary?"

Every Senator is aware of the legal obligation we have undertaken to reduce Federal expenditures by \$6 billion. It seems to me we have a clear choice. Either we shall proceed to gut our basic domestic programs, turn our backs on the

urban crisis, give up the fight to reestablish law and order under social and economic justice in this country, and abandon our efforts to wipe out hunger in America and to save the dollar from devaluation, or we shall do the only reasonable thing, which is to take this \$6 billion and a good deal more out of our bloated, \$82-plus billion-defense budget.

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

ON DEFENSE SPENDING CUTS—DEFENSE BUDGET CUTS OF \$10.8 BILLION SEEN FEASIBLE

Defense experts both in and outside the Government have told Congressional Quarterly that huge cuts can be made in the defense budget while retaining or even improving the current level of the nation's defense.

Highly placed sources in the Pentagon and industry told CQ that cuts totaling at least \$10.8 billion could be made in areas they classified as "fat." None of the cuts would affect U.S. combat capabilities, they said. Instead, only logistical elements they view as excessive and weapon systems they consider overlapping, unnecessary or of doubtful combat effectiveness would be cut back.

Although numerous officials in the Pentagon favor the massive cuts, the actual decisionmakers remain unconvinced. Defense Secretary Clark M. Clifford told a June 20 press conference that the Administration probably would impose defense spending cuts of \$2 to \$3 billion as part of the \$6-billion reduction ordered by Congress as the price of enactment of President Johnson's coveted tax increase. One Pentagon source who favors the higher cuts told CQ it was surprising that Clifford would accept any reductions at all, in view of "pressures from the military and defense industries to keep the budget intact."

In addition to the logistical support, the major areas cited by sources as "fat" include the new antiballistic missile system (ABM), "unnecessarily sophisticated" equipment in both Air Force and Navy aircraft, an expensive air defense system deployed against what sources see as "weak and outmoded" Soviet bomber forces, the Army's helicopter program and antisubmarine carrier task forces of high cost and, sources said, "dubious" combat effectiveness.

One Pentagon civilian said these areas tied down "fantastic amounts of manpower despite the generally low level of combat effectiveness they afford. Cutting them back in many cases actually would improve the nation's defense. Not only would additional manpower be freed for direct combat needs, but the mobility of U.S. forces would be enhanced by the lack of extraneous equipment and a sluggish logistical tail." By "de-escalating sophistication," he concluded, "we could escalate combat effectiveness."

In view of the Government's financial crisis, another official said, it would "border on the irresponsible if these programs are not cut back. These areas should be cut anyway, but in view of the nation's other pressing needs, the case is overwhelming."

Another Pentagon civilian said other funds might be saved by deferring desirable projects until later fiscal years. The source said there were "a lot of nice things the military would like to have and probably should have under normal circumstances. But with the dollar under attack, we can't just go on with business as usual. For the next year, at the very least, we've got to drive a Volkswagen instead of a Cadillac."

Sources emphasized that the cuts not only would mean dollar savings but also balance-of-payments gains. Cuts affecting overseas forces would be worth direct payments savings of almost \$1 billion. As the spending

cuts cool the economy, they said, there would be further payments savings due to returns of capital which had flowed abroad to escape the U.S. inflation.

Clifford has not yet spelled out which areas will be cut to make up the planned reductions of \$2 to \$3 billion. Sources told CQ, however, that the most likely action will be deferral of weapon systems rather than stripping programs they consider "fat." Some of the items Clifford reportedly is considering include the Navy's \$1.7 billion shipbuilding program, the Air Force's military space project, formation of a new 6th Army division, and new air defense missiles.

What follows is a compilation of major areas in which substantial cuts are thought feasible without reduction in the country's military strength; it is the result of detailed interviews in each area with numerous defense industry experts, civilian and military officials. The Administration's justification for funding each program also is presented.

BREAKDOWN OF PROPOSED CUTS

Following is a compilation of cuts that a consensus of CQ's sources feel could be made in the fiscal 1969 defense budget without diminishing U.S. combat capabilities (for details and Administration justifications, see text).

[In millions]	
Item	Suggested cut
Anti-ballistic-missile system (ABM).....	\$1,100
Bomber defense system (SAGE).....	1,000
surface-to-air missiles.....	850
Manpower.....	4,200
Army.....	2,200
Navy.....	900
Air Force.....	675
Marine Corps.....	400
Tactical aircraft programs.....	1,800
Army.....	510
Navy.....	635
Air Force.....	700
Antisubmarine carrier forces.....	400
Attack carrier forces.....	360
Amphibious forces and fast deployment logistic ships (FDLs).....	500
Manned Orbiting Laboratory.....	600
Total.....	10,800

STRATEGIC FORCES

ABM System. Probably one of the most clear-cut items of "fat," in the view of most of CQ's sources, was the ABM system, designed to protect the nation against an intercontinental ballistic missile attack. Currently programmed for a "thin" deployment (termed "Sentinel") to defend against a small attack, the ABM employs nuclear tipped missiles to seek out and destroy enemy missiles in the upper atmosphere. CQ's sources doubt the system will have any chance of working against a realistic attack; consequently, they would cut the fiscal 1969 request figure of \$1.2 billion for ABM deployment and development down to \$100 million for further development work. In addition, they would cut back some \$200 million more than was appropriate for ABM deployment in previous fiscal years but not yet spent. (About \$200 million more in previously appropriated deployment money already is obligated.) The funds were the first installment on a total installation cost of \$5 to \$7 billion for the "thin" ABM deployment; subsequent expansion of the system to a "heavy" shield would cost an estimated \$40 to \$50 billion.

The sources listed several reasons for opposing the system: (1) because of the nuclear test ban treaty, the ABM has not yet been tested in the atmosphere; thus, they said, there is no assurance that the system's

radars or its tracking and guidance systems will survive the first blast the ABM sets off; (2) counter-measures on the part of an enemy would be relatively simple; there are many devices to confuse a radar system, particularly the use of a number of dummy targets; and (3) thus far, the United States has been unable to attain acceptable reliability with far simpler missile systems designed for antiaircraft use. In simulated combat tests, these missiles have shown both a low level of readiness and a poor "kill" ratio. "With missile technology in its current state," one Pentagon civilian said, "an effective ABM would be worth almost any price we would have to pay for it. But for the present we can make greater strides in that direction by spending small sums of money to advance technology until we have a really useful capability, rather than spending a lot to produce hardware that we know won't work."

Administration position.—After opposing ABM deployment for years, then Defense Secretary Robert S. McNamara late in 1967 gave in to pressure by Congress, the military and industry, and ordered the system deployed. In his speech announcing the deployment, McNamara said there were marginal grounds for concluding that a light deployment of U.S. ABMs against (Red China) is prudent," McNamara warned, however, that "if we . . . opt for heavy ABM deployment—at whatever price—we can be certain that the Soviets will react to offset the advantage we would hope to gain." McNamara concluded that the nation must resist that temptation firmly," because the "greatest deterrent against such a strike is not a massive, costly, but highly penetrable ABM shield, but rather a full credible offensive assured destruction capability." (For McNamara's statement, see 1967 Almanac p. 966).

In recent weeks, McNamara's successor, Clark Clifford, has argued far more vigorously than McNamara for installing the ABM. Clifford on June 19 sent a letter to Senate Armed Services Committee Chairman Richard B. Russell (D., Ga.) warning that it would be a "serious mistake" for the Senate to turn down the Sentinel deployment. Clifford's letter placed new emphasis on the potential of the system to protect U.S. offensive missile sites from Soviet attack or to limit damage from an accidental Soviet firing.

In a press conference, the following day, Clifford said the system now had "real significance" vis-a-vis the Soviet Union. Citing U.S. intelligence reports that the Soviets were installing such a system, Clifford said the United States would be "in a better position to reach agreement with them on an ultimate step toward disarming if we also go about the deployment of a system." Clifford did not spell out, however, whether that would involve escalation to the level of a "heavy" ABM.

Senate ABM Hassle: The year's first skirmish over the ABM came in the Senate in April during consideration of the fiscal 1969 defense procurement bill (S 3293). By a 17-41 roll-call vote, the Senate April 18 rejected an amendment by Gaylord Nelson (D Wis.) to drop the bill's \$342.7 million in Sentinel procurement funds. Later in the day, by a 28-31 roll-call vote, the Senate rejected an amendment by John Sherman Cooper (R Ky.) to prohibit deployment of an ABM system until the Defense Secretary certified that it was "practicable" and that its cost was known "with reasonable accuracy." (See votes 81-82, Weekly Report p. 963; for story see p. 904.)

Opponents of the system were encouraged several weeks later by press reports that the Administration intended to drop the ABM system as part of the \$6-billion economy cut. The reports proved wrong, however, as Clifford launched his vigorous defense of the

system. On June 24, the Senate by a 34-52 roll-call vote rejected an amendment by Cooper and Philip A. Hart (D Mich.) to add language to the defense construction authorization bill (HR 16703) prohibiting expenditure of any ABM funds authorized by the bill before July 1, 1969. The Senate then went on to reject by a 12-72 roll-call vote, an amendment by Stephen M. Young (D Ohio) to delete the bill's authorization of \$227.3 million in ABM construction money. It was expected that the anti-ABM group would renew its attacks on the system when the program later was considered in the appropriations stage.

At one point in debate, Sen. Henry M. Jackson (D Wash.), the bill's floor manager, went beyond Clifford's statement in praising the anti-Soviet capability of the system. Jackson June 19 said some Senators apparently had "taken too literally the public rationale for the system previously given by officials of the Defense Department. As a result, these Senators have missed the most significant feature of the system: it will have definite capabilities for defense against the Soviet missile threat." Not only would the system defend U.S. missile sites against that threat, Jackson said, but it would also "provide a limited degree of protection of American cities and other strategic forces from Soviet attack, as well as improve our capacity to detect and assess any missile attack."

BOMBER DEFENSE SYSTEM

Another big item CQ's sources view as unnecessary is the complex warning and intercept system designed for defense against long-range bomber attack. Called SAGE for Semiautomatic Ground Environment, the system employs elaborate radars both to detect incoming bombers and to guide interceptors to shoot them down.

Sources said it was widely accepted in the Pentagon that the Soviet Union no longer could muster an appreciable bomber threat. "Despite intelligence reports that the Soviets have dropped their long-range bomber development effort," one military source told CQ, "we retain the SAGE system as a hedge that they might again shift course. It would make more sense to phase out the SAGE system now and then build up our air defense fighter forces later if the threat should reappear."

As in the case of the ABM system, CQ's technical sources in this area fear SAGE would be subject to a wide range of counter-measures which would render it ineffective against an enemy attack. A higher degree of effectiveness can be attained, these sources said, by phasing out the SAGE system and relying solely on Federal Aviation Administration (FAA) surveillance capabilities and normal U.S.-based fighter squadrons, combat training squadrons and the Air National Guard. One source said this would be a system "based on weapons and detection equipment that maximize kills, not automation." Savings from such a move would be an estimated \$1 billion a year.

Despite the \$18 billion cost of installing the SAGE system, one Pentagon civilian said, the Air Force had been aware of "crippling flaws" in the system ever since the outset of installation in the mid-1950s. "The Air Force apparently felt it should get the system first and then make it work," he said. "A number of costly modifications have failed, and so we're right back where we started." The source noted that the Air Force was about to embark on another costly modification program but predicted it would be no better than previous efforts. Designated AWACS for Airborne Warning and Control System, the project envisions an improved radar system that is claimed to track incoming aircraft at levels far below the present capability. CQ's sources said the AWACS radars would be just as unreliable and vulnerable to counter-

measures as are those in the current SAGE system.

Administration Position.—McNamara in his 1968 defense posture statement said the Defense Department had conducted extensive studies of the antibomber defense problem and that in all the alternative force structures examined, the "indispensable element" was AWACS. If perfected, McNamara said, AWACS would be important for several reasons: (1) its ability to track aircraft at low altitudes; (2) its ability to provide detection at greater distances from the United States; and (3) its low vulnerability to missile attack compared with the SAGE system.

McNamara conceded, however, that the feasibility of AWACS depended upon the successful deployment of a "downward-looking" airborne radar. Although McNamara said the required technology was "within our reach" he did not comment on the overall need for a bomber defense system or on the present level of effectiveness.

Surface-to-Air Missiles. CQ's sources said \$850 million per year could be saved by phasing out "ineffective" air defense missiles and deferring heavy hardware development on new missiles. Sources said there was little reason to believe these missiles would work any better in combat than Soviet missiles used by the North Vietnamese, stated in the May 6 issue of *Aviation Week* to have attained a kill ratio of less than 1 percent. According to one military source, "the North Vietnamese have apparently learned much more quickly than we have that their real defense against bombing rests on anti-aircraft guns." The source said the current and planned anti-aircraft gun units would be "more than enough" for good air defense.

The U.S. missiles, called Hawk, Nike-Hercules and Bomarc, are deployed heavily around U.S. forces in Vietnam, Korea, Europe, Alaska and the continental United States. Like the SAGE system, their performance tests have been so unsatisfactory that they have required constant programs of modification and improvement. Commenting on both the SAGE and the missile programs, one source said "large get-well programs are always a symptom of a basic blunder."

Administration Position.—Administration analyses indicate that the "get well" programs should yield substantial reliability improvements. Furthermore, it is felt that the guidance technology of at least the newer U.S. missiles is considerably more sophisticated and advanced than that of the Soviet missiles, even though the U.S. missiles have not yet been demonstrated in combat.

GENERAL PURPOSE FORCES

Manpower. Sources indicated that sums totaling a minimum of \$4.2 billion could be saved by paring "fat" from logistical elements of all the services. (The cost savings of the manpower cuts were figured on the basis of an average annual cost of \$10,000 per serviceman. The figure included the serviceman's salary and allowances, medical care, pension, food, billeting, training, supervision and other supporting expenses.) For each of the services, CQ's sources recommended cuts ranging from 10 to 20 percent, but among most sources, recommendations tended to cluster around the lower figure. For purposes of this study, CQ assumed the lower cut.

One Pentagon civilian told CQ that "anyone who's ever been in the service is aware of the tremendous wastage of manpower—the vast number of support troops who sit around with little or nothing to do. Beyond that, there are tremendous overlapping areas even in functions that keep people busy. By sensible reorganization, massive cuts could be made in the support area and we'd have a better, more streamlined force."

Army. Of the total Army strength of 1,550,000, about 360,000 are in combat units (divisions, brigades, artillery and missile units), 110,000 are transients (men en route

between assignments) and 1,080,000 are in additional support roles beyond those already provided in the combat units. Sources agreed that the Army should not be allowed to carry the large transient category but, as a well-placed civilian put it, should have to "take it out of their hide just like a corporation would." Elimination of the transient figure plus a 10-percent cut in support would yield a reduction of 218,000 troops, worth estimated savings of almost \$2.2 billion.

Navy. The Navy lists a total strength of 775,000, including 330,000 assigned to combat units, vessels or air wings, 50,000 transients and 395,000 in support. A reduction of 90,000 including, as a minimum, the elimination of the transient category and a 10-percent cut in support, would mean cost savings of \$900 million.

Air Force. Of total Air Force strength of 900,000, the breakdown includes 270,000 in combat air or missile units, 5,000 transients and 625,000 in the support function. The minimum cut recommended by CQ's sources would mean reductions of 67,500 and savings of \$675 million.

Marines. Current Marine strength is 300,000, with 120,000 in combat ground or air units, 25,000 transients and 155,000 in support. The minimum cut would amount to about 40,000 and savings of \$400 million.

NATO Forces. CQ's sources said it would be desirable to cut back the U.S. commitment to the North Atlantic Treaty Organization (NATO), but most of the sources agreed that as long as the commitment remained, U.S. forces located in Europe added far more strength to the West's posture than they would if brought home and kept in reserve for possible redeployment. One former high-ranking Pentagon civilian told CQ, however, that the United States should press West Germany to provide full logistical support for the U.S. combat forces deployed on German soil. The source said this should be more desirable to the Germans than the present arrangement of German offset purchases of U.S. weapons and probably would mean an even greater balance-of-payments savings for the United States. The source estimated that such an arrangement would enable the United States to pull out an additional 95,000 troops (above the standard 10-percent cut discussed above) and would amount to cost savings of almost \$1 billion a year and \$600 million in balance-of-payment gains. (CQ did not include this item in the value of over-all cuts, however, because it would necessitate an agreement with a foreign government while the other cuts could be undertaken by unilateral Pentagon or Congressional action.)

Administration Position.—The Administration has contended that manpower allotments are the results of intensive studies on the requirements of all the forces. Present strength levels, it contends, provide optimum combat support.

Tactical Aircraft. Aviation experts interviewed by CQ said cuts totaling \$1.8 billion could be made in the next fiscal year's aircraft procurement programs, primarily by dropping "elaborate and impractical" electronics systems and buying more austere versions of the craft.

Air Force. Cuts of at least \$700 million could be made in the Air Force program, sources said, by purchasing simpler versions of the \$2.5 million F-4E, the \$8 million F-111D, and dropping production of the \$2.6 million A-7D in favor of the A-37, which costs only \$350,000. Despite their high costs, sources said, the F-4 has failed to provide clear superiority over Soviet fighters and the F-111 was too vulnerable to enemy fighters and anti-aircraft defenses to be useful; consequently, these aircraft should be prime candidates for further cuts. One civilian expert said the A-7 was "neither accurate nor maneuverable enough to be effective in its assigned role of close air support." In the

interim, he said, the highly maneuverable, combat-proven A-37 could serve effectively in the close-support role until a new generation of attack aircraft more appropriately tailored to the mission could be built.

Shifting from production of the A-7D to the A-37 would save about \$210 million if the same number of aircraft budgeted for fiscal 1969 were bought. Sources said an additional \$30 million could be saved by dropping the F-4E's "long list of combat-essential" equipment such as sophisticated navigation and fire control systems. Another \$350 million or more in research and procurement money could be saved, they said, by dropping the \$2-million Mark II electronics system in the F-111D (thus leaving the plane in effect an F-111A). One civilian official said the sophisticated electronics gear in each of the two latter craft would be "highly unreliable, contribute little or nothing to combat effectiveness, and decrease aircraft performance and daily utilization rates." Likewise, \$110 million could be saved by continuing A-7A production rather than introducing the substantially more expensive A-7E, an aircraft termed by one civilian source as "90-percent gold-plate."

Several sources also emphasized that great scrutiny should be placed on the F-111A program, which has encountered extensive problems in recent combat tests in Vietnam. Unless the plane begins showing "marked improvement," they said, the program should be cut back until a better aircraft can be developed.

Navy. By applying the above austerity program to the even more complex Navy F-4J electronics systems, sources said fiscal 1969 savings of \$50 million could be attained. They applauded the Senate Armed Services Committee's recent action in denying a \$585 million authorization request for the controversial F-111B program, but they said the Committee committed "the worst possible error" in providing \$287 million for accelerated development of a substitute craft, the VFX-1. A military source termed the VFX a "warmed-over version" of the F-111 which will cost substantially more and perform only slightly better than the plane it would replace. (For story on the VFX and F-111B, see *Weekly Report*, p. 1007.)

Army. An area of increasing "fat," sources said, was the Army's helicopter program, and particularly the Hueys and Chinooks that are prevalent in Vietnam. "There are so many of those things in Vietnam," one military source said, "that even a sergeant complains if he has to ride in a truck." Sources recommended that the approximately \$600 million request for helicopters in fiscal 1969 (excluding the Cheyenne helicopter which they would drop) should be scaled back to attrition levels—an approximate buy of 650 helicopters. Savings would be an estimated \$360 million, including \$300 million on the helicopter buy and \$60 million in helicopter operating costs.

Several civilian and military sources said the helicopters had presented a "tremendous logistical burden in Vietnam in terms of fuel, ammunition, spares and manpower." One Pentagon source said the limitations of helicopters had "influenced us heavily toward short one- or several-day operations to the extent that the Army in Vietnam has largely abandoned the mission of holding and patrolling territory."

Sources also recommended dropping the new Cheyenne helicopter—an advanced craft based on a complex missile/gun fire control system, which they say is now slipping badly. One former Pentagon official said the Cheyenne, which costs \$3.1 million, was "the biggest boondoggle the Army ever got dragged into—a complete waste." In a close support attack, he said, it would take the helicopter a minimum of 16 seconds to home in and guide its missile to target. In the meantime, he said, "you'll be blasted out of the

sky by every weapon from small arms to tank or antiaircraft fire. This concept might work if you were up against a single tank in the desert. But if you're in the midst of a Soviet division, there's just too much around that they can throw back at you." Dropping the Cheyenne program would mean fiscal 1969 savings of about \$150 million in costs of procurement and continuing R and D.

Administration Position.—Aircraft Electronics Gear. A military spokesman told CQ that in every case, the aircraft under discussion were equipped with gear "necessary for them to meet their assigned combat roles. Sure, you might gain a maneuverability advantage by removing gear from a plane. But you also pay a penalty. And in these cases, the penalty would far offset the gains."

Helicopters.—The Administration has maintained that more helicopters are necessary to increase U.S. mobility in the war in Vietnam. In the months ahead, it is estimated that helicopter sorties in the war will double to the level of almost 1 million a month.

With regard to the new Cheyenne helicopter, studies have shown that the predicted accuracy of the craft's guns and missile guidance systems add so much to combat effectiveness that they more than compensate for the cost and logistics burdens. Despite the slips, the Administration argues that over-all program risk is so low that the recent production go-ahead is justified.

Antisubmarine Forces. Another area where a consensus of CQ's sources would make substantial cuts is in the Navy's antisubmarine warfare (ASW) force. Sources said they would eliminate the entire fleet of eight ASW aircraft carriers, whose planes have never been effective in locating or destroying modern submarines in simulated combat exercises. The sources would leave the job to existing attack submarines, destroyers and high-endurance land-based patrol aircraft. These forces, one military source said, "should be more than enough to carry the full load."

Mothballing the entire ASW carrier force, sources said, would mean savings of at least \$400 million, including \$160 million in carrier operating costs, \$110 million on the 32 other ships associated with the ASW carrier fleet, \$100 million in operating expenses of the ASW aircraft and a large classified allotment for development of a new ASW plane of unprecedented complexity and sophistication—the VSX. (Eventual costs of the VSX program have been estimated at \$2.5 billion.)

Administration Position.—McNamara in his defense posture statement conceded that the present ASW carrier force was a "relatively high-cost system in relationship to its effectiveness." McNamara added, however, that intensive studies had determined that "the advantages and flexibility inherent in such a force would marginally warrant its continuation in the 1970s—provided that its effectiveness could be greatly improved." To make these improvements, McNamara said, would entail "a very expensive undertaking"—the development of "a new and much more capable aircraft," the VSX.

Attack Carrier Forces. Another large sum of money could be saved, CQ's sources said, by changing the concept of deployment of attack carrier forces. Sources said that by counting on carriers only for quick reaction and an initial power surge, then substituting land-based aircraft for the long haul, it would be possible to mothball three of the 15 carriers currently in use and still meet all the nation's worldwide commitments. The sources added that cutting the force down to 12 carriers also would mean that construction could be deferred on three expensive nuclear-powered carriers programmed for construction over the next six years (estimated total cost: \$2 billion) and that two air wings of the oldest aircraft could be phased out. Savings would amount to \$360 million for the 1969 fiscal year, including \$120 million

in carrier operating costs, \$130 million in costs of operating escort ships, \$27 million in air wing operating costs, and about \$85 million in fiscal 1969 advance funding toward the first of the three additional nuclear carriers (plus an unexpended \$50 million for this purpose from fiscal 1968).

CQ's sources said one illustration of "irrationality" in carrier deployment was the current stationing of three carriers in the waters off North Vietnam. One Pentagon source said that "no other aircraft deployment could be more expensive, because we have to keep two carriers in support for every one on line—a total of nine attack carriers tied up in the war. We would phase out six of those carriers by pulling only two out of Vietnam, leaving one there for the purpose of keeping Naval Air current in combat experience. Then, at far less cost, we could achieve the same aircraft strength by re-deploying land-based aircraft from areas throughout the Pacific."

Since the role of the carrier is to support rapid force buildups rather than sustained operations, another source told CQ, proper utilization would mean "instant availability" of the entire carrier force. "If you keep your carriers ready for quick reaction rather than long deployments," he explained, "you can put almost all of them in action because there's no requirement for support." Noting that chances were "remote" that the United States might invade Russia or China, the source said it was "impossible to dream up enough other contingencies to justify retention of all 15 carriers."

Administration Position.—The Administration has not evolved any specific justification for carrier employment concepts or Naval Air force levels. The last change in position was in 1962, when the 15 wings attached to the 15 carriers were reduced to 12, since three carriers were normally in overhaul at any one time.

Amphibious Forces. Because of the lack of real or potential island powers, officials interviewed by CQ think substantial cuts should be made in the number of amphibious assault vessels. One official said "the Soviets are no amphibious power to speak of and neither are the Chinese. Who else could you be fighting that would necessitate a World War II-type landing operation? Although it is clear that our concept of employing the Marines has changed radically, we still maintain a huge amphibious fleet."

Of a total amphibious force of 142 ships, CQ's sources recommended mothballing 50 of the most obsolete, without making any change in the composition of Marine combat forces. Savings would be worth about \$100 million. In addition, they were agreed on dropping \$216 million in the fiscal 1969 budget for a new type of assault ship—the LHA.

In a related matter, sources said they also would drop a new procurement request for fast deployment logistic ships (FDLs)—a mammoth military warehouse designed for deployment off potential trouble spots for possible fast deployment of heavy combat equipment. (Unlike the LHA, the FDL was not an assault vessel but a type of cargo ship. It was designed to support Army forces, whereas the LHA was for the Marines.) Fiscal 1969 savings from eliminating the FDLs would be \$184 million.

Sources said the cuts envisioned in amphibious force strength would leave the capability of simultaneously assaulting with one division team in the Pacific and one brigade in the Atlantic. The lower level of strength, one source said, would be sufficient to stage "a strong show of landing assault force in any island crisis or even a good-sized war."

Administration Position.—As in the case of carrier force levels, there appears to be no specific set of situations which form a basis for assault transport requirements. There has only been a general increase in assault shipping to improve the mobility of the Marines.

MOL. A final area deemed ripe for cuts is the Manned Orbiting Laboratory project (MOL)—the Air Force's probe into the military uses of space. One Defense Department official said the Air Force at this stage "has no more idea what they'll do with men floating around in space than NASA (the National Aeronautics and Space Administration) does with its Apollo Applications program. This is one activity that can wait." Postponing MOL would mean fiscal 1969 savings of \$600 million.

Administration Position.—The Administration maintains that possibilities still are strong that space may be put to military advantage. McNamara in his defense posture statement said he had insisted that space projects undertaken by the Defense Department "must hold the distinct promise of enhancing our military power and effectiveness" and that they "mesh in all vital areas" with those undertaken by NASA.

OUTLOOK

Sources emphasized that the areas probed by CQ were only the "most glaring examples" of Defense Department "fat." According to one Pentagon source, "A really detailed probe by the Congressional Appropriations Committees would reveal millions if not billions in other possible savings."

Because of political realities, however, most of CQ's Capitol Hill sources thought the defense budget cutters faced a stiff uphill fight. This theme was sounded by Republican Presidential candidate Richard M. Nixon June 23 when he warned it would be "irresponsible and potentially dangerous" for the Administration to consider any defense budget cuts.

Congress' hesitance to question major Pentagon programs was seen June 24 when the Senate voted to proceed with full funding of the ABM. In doing so it went against the advice of Majority Leader Mike Mansfield (D Mont.), among others. Mansfield told his colleagues before the vote, "I think it is up to this institution (Congress) to fulfill its responsibilities to check, to recheck, and not be taken in by what the Joint Chiefs of Staff or the Secretary of Defense . . . say they must have, because we never can satisfy them."

FAST DEPLOYMENT LOGISTIC SHIP (FDL)

DOD PROPOSAL

The President's Budget contains funds for four FDL ships. The Department of Defense has indicated that tentative plans call for ten additional FDL in FY 1970 and eight each in FY 1971 and 1972, for a total program of thirty ships. The cost of the four ships in the 1969 program is estimated to be \$183.6 million, with the cost of the total 30-ship program estimated at \$1.4 billion.

DOD JUSTIFICATION

U.S. national security policy is predicated on the concept of collective defense. This concept calls for a forward defense strategy. There are limits on the degree to which this strategy can be supported by the forward deployment of forces and prepositioning of equipment and stocks. Accordingly, U.S. forces must possess a high degree of strategic mobility. This needed mobility is best realized through a proper combination of airlift and sealift. The C5A Galaxy aircraft is intended to provide an important element of the airlift component. The Fast Deployment Logistic Ship (FDL) is intended to provide the sealift component. Its unique function will be to serve as an optimally designed forward floating depot for heavy Army equipment to be made available on short notice to the troops that would be lifted by air to an operational theater.

THE COUNTERARGUMENT

No one questions that the proposed Fast Deployment Logistic Ship (FDL) would represent a major advance in augmenting the strategic mobility of U.S. forces. The real

question is whether U.S. security interests establish a valid requirement for such a capability. If the Vietnam experience proves anything it is that we should think twice before embarking on military adventures abroad. There must be time for public debate and involvement in decisions of such magnitude. Given our historical experience in which the Commander-in-Chief has, in effect, obtained the power to declare war, the Congress has no alternative but to control the means to commit the nation to such wars. The only way to prevent foreign interventions is to remove the temptation. It is time for the United States to take a hard look at its basic strategy as it applies to those areas of the world where U.S. interests are marginal. Where our vital interests are involved, as in Europe, we can continue to maintain prepositioned stocks of equipment as a basis for reinforcement if it should prove necessary. The FDL is justified essentially as a floating forward depot to permit intervention in areas where such prepositioned stocks are not available. These are the very areas where U.S. action should not be precipitated. By disapproving the FDL we can help to foster a climate in which U.S. forces are less likely to be committed without full consideration in accordance with our constitutional processes.

C-5A GALAXY AIRCRAFT

DOD PROGRAM

Procurement of the C5A Galaxy aircraft was initiated in FY 1967 with eight aircraft. The FY 68 budget provided \$423 million for the procurement of 18 aircraft, and this year's budget has \$500 million for 27 aircraft. The total program calls for six squadrons of C5A with a total of 96 aircraft, with procurement to be completed by the end of FY 1972 at an overall program cost of approximately \$3.4 billion.

DOD JUSTIFICATION

The C5A was developed and is being procured in order to enhance the strategic mobility of U.S. military forces. When the program is completed, it is estimated that our capacity to airlift forces over strategic distances will have increased tenfold since the level of the early 1960's. This airlift is an essential component of the overall program for strategic mobility (including the Fast Deployment Logistics Ship) intended to support the forward strategy implicit in the collective defense arrangements to which the United States is a party.

THE COUNTERARGUMENT

This program is so far down the road that there are severe limits on the amount that can be saved by calling a halt. However, in the light of what can only be interpreted as the growing disenchantment with the so-called forward strategy, it would seem obvious that the requirements for strategic airlift that were developed in an entirely different political atmosphere are now open to serious question. There is no justification for proceeding with anything like the six squadron-96 aircraft program at a time when it must be clear that this nation is no longer prepared to incur the costs of intervening in other peoples wars. With the presently available airlift, which already provides a substantial airlift, and considering the availability of the Civil Reserve Air Fleet in the event of a real national emergency, there is no reason why the C5A program should not be discontinued immediately and phased out as efficiently as possible. Our problem now is not to increase our strategic airlift capabilities, but to control the use of the capabilities we already have. As in the case of the Fast Deployment Logistics Ship (FDL), the further strengthening of the C5A fleet would simply reinforce the capacity of the Commander-in-Chief to intervene militarily around the

world without reference to popular sentiment. Moreover, the justification of the full C5A program is predicated in part on the proposed FDL. With the latter program disallowed, the number of C5A aircraft required should be substantially reduced.

MANNED ORBITING LABORATORY (MOL)

DOD PROPOSAL

For FY 1969, the Department of Defense has requested \$600 million for the Manned Orbiting Laboratory (MOL). This follows on prior year appropriations as follows:

[In millions]

Fiscal year:	
1964	----- \$10.0
1965	----- 36.5
1966	----- 150.0
1967	----- 200.0
1968	----- 431.0

When the decision was made on 25 August 1963 to proceed with the MOL program, the total cost was estimated at about \$1.5 billion. FY 1969 represents the peak year of activity for the MOL as presently programmed. The MOL consists essentially of the TITAN III booster, the GEMINI B capsule, and a pressurized cylinder coupled to the GEMINI to serve as the manned laboratory in space.

DOD JUSTIFICATION

As a research and development program, MOL is intended to determine if there is an important military role for man in space. The importance of military operations in space has been clearly established. Whether manned operations in space can make a substantial additional contribution to military power and effectiveness is not known. The purpose of the MOL is to conduct experiments in order to answer this question.

THE COUNTER ARGUMENT

It is difficult to see just how the knowledge to be gained from MOL can provide a better answer to this question than that to be derived from the NASA program. The original decision to proceed with MOL was made at a time when this country had become excessively preoccupied with space programs generally, and when there was heavy military pressure for manned military operations in space, with the MOL being only the first step. Now, we find ourselves in a very different situation. The international political atmosphere has radically changed. In the spirit of the Outer Space Treaty, we should carefully avoid any action that might add a new dimension to the arms race. Certainly, in the current climate we would be well advised to pause in this undertaking to insure that there should be no misunderstanding our purpose. Any penalties that might be incurred by a delay in the program at this time are more than balanced by the opportunities now present for significant progress to insure that space will be utilized only for peaceful purposes, as provided in our own basic law. If these efforts should succeed, it might prove possible to cancel the program at a saving of a half billion or more dollars. More immediately, it seems clearly desirable to cut the FY 1969 budget request by a minimum of \$200 million, or substantially the FY 1968 level. This reduction, with its consequent stretchout of the program, would in no way impair national security, and would be more conducive to getting on with the urgent task of easing military tensions in the world, thereby advancing our long-term security interests.

POSEIDON AND MINUTEMAN III

DOD PROPOSAL

Substantial sums included in the Department of Defense FY 1969 budget are involved in the Poseidon and Minuteman III programs. For example, the total incremental cost of developing, producing, and deploy-

ing the Poseidon was estimated in FY 1968 at \$3.3 billion. These improved systems are credited with capabilities that are substantially greater than the systems being replaced (Polaris and earlier versions of Minuteman III). These include such characteristics as accuracy, payload, penetration aids, and range. More significantly, Poseidon and Minuteman III will employ Multiple Independently Targetable Reentry Vehicles (MIRVs), thereby increasing the number of warheads that can be delivered with a given number of launchers.

DOD JUSTIFICATION

The basic justification for this proposed increase in U.S. offensive capabilities is that they are necessary to provide an assured destruction capability against the Soviet Union in the light of the growing threat presented by Soviet strategic forces, both offensive and defensive. The MIRV is being developed and is justified especially as the most appropriate response to possible Soviet deployment of an ABM.

THE COUNTERARGUMENT

While MIRV may appear justified to this country as an appropriate augmentation of our offensive capabilities for purposes of strategic nuclear deterrence, the Soviet Union can hardly interpret this development as representing other than an increased threat to its security. Moreover, the characteristics of the system inescapably introduce a new element of uncertainty into the strategic equation, leaving the Soviets with no alternative but to increase their own offensive capabilities correspondingly, thereby triggering a new round in the strategic arms race. It may be that the United States will find it necessary to strengthen its strategic offensive capabilities in the future in order to insure the maintenance of a reliable deterrent. But at a time when this country and the U.S.S.R. are about to engage in important arms control discussions, including specifically the control of strategic offensive and defensive systems, it hardly seems appropriate to proceed with the development, production, and procurement of new offensive systems, with the attendant risk of raising the strategic arms balance to a new and even more delicate balance of terror. The very fact that MIRV introduces a new element of uncertainty into the arms balance may increase the possibility of miscalculation. It should be expected that the Soviet Union would match any MIRV deployment by the United States. And with both the U.S. and the U.S.S.R. so armed, the perceived disadvantages of incurring a first strike might at a time of heightened tension precipitate an unfounded preemptive strike. In effect, MIRV could introduce the functional equivalent of vulnerability into the strategic balance.

Considering the consequences of such a miscalculation, the prudent course at this stage, pending a more precise judgment than is now possible as to the prospects for the upcoming arms control discussions with the Soviet Union, is to defer any further build-up in our strategic offensive forces and to eliminate from the FY 1969 budget those funds which are intended for this purpose, leaving only those earmarked for research and development.

DEPARTMENT OF DEFENSE MANPOWER

DOD PROPOSAL

The planned active military and civilian personnel strengths for FY 1969 and the estimated costs thereof are:

[Dollar amounts in billions]

Strength:		Cost
Active military	3,477,520	\$19.8
Civilian	1,251,130	10.1

DOD JUSTIFICATION

These personnel strengths are required for the proposed force structure and supporting

defense establishment considered essential for national security.

THE COUNTERARGUMENT

The most effective way to cut expenditures for the armed forces is to reduce personnel strengths. A 10% reduction in personnel costs would mean a saving of \$3 billion. Some personnel savings can be realized by the elimination, curtailment, or stretching out of such programs as the Manned Orbiting Laboratory (MOL), Fast Deployment Logistics Ship (FDL), C5A aircraft, POSEIDON and MINUTEMAN III, and the Anti-ballistic Missile. More substantial reductions can be accomplished by decreases in the ground forces planned for FY 1969, which include 19 Army divisions and 4 Marine divisions. Such decreases are entirely feasible if we cut back our overseas deployments. A direct saving of approximately 50,000 military personnel will accrue for each division cut from the force structure, with additional indirect savings in both military and civilian personnel costs resulting from reductions in the support structure. Altogether, it should be possible to cut personnel strengths to realize a 10% saving in personnel costs without in any way impairing national security.

CHEMICAL AND BIOLOGICAL WARFARE DOD PROPOSAL

The Department of the Army has requested funds for research, development and production of chemical and biological agents as part of the budget request for ordnance, combat vehicles and related equipment. The total budget request for these items is \$175.7 million. It is estimated that the three largest sites, Edgewood Arsenal, Pine Bluff Arsenal and Fort Detrick, had a budget of \$282 million in fiscal year 1968. The Air Force has requested \$70.8 million for herbicides for defoliation in Vietnam. Since there is no separate budget item for chemical and biological research development, it is impossible to be more precise. It is estimated that around \$350 million is spent for all aspects of this program.

DOD JUSTIFICATION

In its FY 1969 request for chemical weapons, the Department of the Army has said the following:

"The demand for munitions using riot-control agents has greatly increased. The most potent of these agents is CS. However, casualties recover in 10 to 15 minutes after exposure to fresh air.

"At present, three forms of CS and associated munitions are in the R&D program. The CS/pyrotechnic mixture is effective and the most widely used. The thermally-generated CS cloud is highly effective against the respiratory tract and the eyes. However, it may dissipate rapidly under certain meteorological conditions and it cannot be used for denial of terrain or tunnels." (Hearings before the Committee on Armed Services, United States Senate on S. 3293, authorization for military procurement, research and development, FY 1969, and reserve strength, pp. 808-9)

[CS is a fast-acting tear gas agent which produces severe nausea and headache. Additional research and development is performed on a variety of toxic weapons, including nerve gases and viral diseases.]

The military justifies the use of these weapons by stating that it violates no international law and that they are "non-lethal." The United States is not a party to the 1925 Geneva Convention outlawing the use of such weapons in warfare. The United States approved, in 1966, a United Nations resolution calling on all countries to adhere to the principles of the 1925 Geneva protocol. Most of the Pentagon's activities in this area are highly classified and military spokesmen are reluctant to debate the issue in public. The military has refused to admit guilt in the

recent sheep deaths near Dugway Proving Grounds in Utah and will not confirm that islands in the Pacific are being considered for a variety of chemical warfare tests.

THE COUNTERARGUMENT

Opponents of the CBW program, including the Federation of American Scientists, point to the possible violation of international law, the impossibility of real tactical control over such weapons, the possibility of proliferation to other countries, the serious ecological and generic damage, and the general moral abhorrence to engage in this kind of military conflict. In addition, opposition exists because of the secrecy surrounding the military efforts in this field.

IS THE MOL NECESSARY?

The Manned Orbiting Laboratory, or MOL, is the designation of the very substantial two billion plus dollars Air Force program aimed at putting men in space where they may perform a variety of military tasks while orbiting the earth.

The MOL program has two outstanding characteristics: first, it is extremely expensive (it is now consuming nearly one-half billion dollars a year and the trend is up); and, second, it is surrounded by secrecy (this large and complex program is described for the public in but one paragraph in this year's Congressional authorization).

It is time in this period of re-evaluation of national priorities and objectives to raise some questions about the MOL.

First of all, in terms of economics, why does the U.S. need to make prodigious investments in a new system on top of its large Apollo manned space-flight program? NASA has spent hundreds of millions of dollars in developing an earth-orbiting version of its moon landing spacecraft. However, in 1968, the Administration scratched the planned 1969 flight of the Apollo Applications satellite while permitting the MOL construction to proceed. Clearly, the U.S. Air Force, which has been calling for a "space force" for years, will under present planning proceed with its rival to Apollo, the MOL, and have men in earth orbit while NASA is preoccupied with going to the moon.

One may ask whether, from a technical standpoint, it is necessary to plan for manned space flight in the first place. Recent studies by both the President's Science Advisory Committee and the National Academy of Sciences conclude that automated missions are likely to be more cost-effective. Certainly the several hundred unmanned satellites—both the fully-described NASA scientific satellites and those launched by the Air Force in secret—seem to perform satisfactorily without the aid of man and his expensive life-support requirements. The answer generally given is that in the last analysis the U.S. will place men in orbit because such a feat is highly visible and carries great weight for national prestige. (After all the Russians are going to do it.)

If this is the case, is the MOL the proper instrument? Is the MOL a more efficient means for carrying out space studies than the Apollo spacecraft or the unmanned satellites? The citizen can only speculate because there is little information on the design or the purpose of the MOL. Former Secretary of Defense McNamara alluded to the possible value of the MOL for earth reconnaissance purposes. It is also known that countless Air Force proposals such as the Dynasoar were turned down after intensive study for insufficient technical justification. On the face of it, it is not clear that a large manned craft requiring complex and costly support facilities is needed or desirable for carrying out space observations. It is even more difficult to justify a military approach as typified by MOL.

There has been scant explanation provided to the public to justify the shift in direction. However, NASA Administrator Webb now

seems to support joint military-civilian man-in-space programs and in a recent speech he envisioned a large satellite in orbit in 1973 "which can be used for any national purpose and without trying to identify specifically the missions that such a thing might accomplish." This attitude suggests a willingness to mix missions and share management thus diluting the earlier identification of NASA with unclassified programs. In this connection one notes that the NASA charter has some rather specific things to say about exploring space for peaceful purposes and for the benefit of all mankind. The Space Treaty which was endorsed just two years ago is specific in excluding weapons from orbit and positive in promoting international cooperation and the advance of science through space activities. While the Apollo Applications may have been conceived as an enormously expensive project at least it was in consonance with treaty obligations and it did promise to get some returns in the form of unique scientific data and practical information from its earthward-looking remote sensors for economic planning and resource survey. On the other hand, one can foresee a variety of undesirable foreign reactions to the placing in orbit by the U.S. of military manned orbiting laboratories capable of performing obscure "big brother" functions.

It is not obvious that it has to be this way. President Eisenhower, in 1953, elaborated a quite sensible approach to achieving some degree of world tranquility through "open skies" in which surprise attacks and secret war preparations might be frustrated by photograph from over-head. What was not possible from aircraft then could be accomplished now by satellites operating legitimately in international space.

The MOL raises critical questions of program cost, classification and management. Considering the great capital investments already made, it is likely that the U.S. will continue with its plan for orbital space stations. But can such a program be run efficiently under present levels of security classification? Will such a formidable program be most useful in terms of both national needs and international objectives if it is shrouded, as it is now, in secrecy? Should a more deliberate pace be adopted to permit the fuller exploration of both technical and political problems and alternatives?

The Defense Department does not have to forgo carrying out its legitimate space functions with some necessary degree of privacy. Nevertheless, Defense does now spend on space about fifty percent of the total NASA budget and its programs must be subject to some public scrutiny. In particular, what is the reason for clouding and obscuring such a major national effort as the orbiting of space stations by placing it under the Department of Defense despite the existence of a National Space Agency. One may also ask where the National Space Council has been during this apparent abandonment of civil programs in favor of military alternatives?

The present international scene calls for detente, both on earth and in space, not a continued expensive military and prestige rivalry. The condition of the national budget demands careful cost-effectiveness analysis of new programs, not blank checks to the order of hundreds of millions of dollars.

The answer to the question of whether or not the MOL is necessary in its present ill-defined status is obvious. Our national goals do not require additional global projects which can have, at best, marginal legitimate defense application. Such military-run operations may well jeopardize existing treaties or appear to others to be provocative. If there are to be manned space laboratories, let them be justified on sound, scientific and economic grounds in an open fashion. Let them be operated in a visible manner so that all nations may share in the pride of space exploration and in the development of new and open

means for monitoring the earth and its environment for peaceful purposes. This task is essential and it will not be fulfilled if instead priority is given to as poorly justified and ill-defined a program as the Manned Orbiting Laboratory.

DR. CHARLES EDWARD YOUNG— DIRECT-ACTION EDUCATOR

Mr. METCALF. Mr. President, one of the most satisfactory experiences in the Congress is to watch the progress of interns after they have been in Washington and exposed to the inner workings of the legislative process.

The congressional fellowship program of the American Political Science Association is outstanding, and it must be a rewarding experience for the association as it is for me when one of our fellows attains a position that was anticipated for him when we were first associated with him.

The most recent example has been Dr. Charles Edward Young, who was a participant of the American Political Science fellowship program in 1958. I was a Member of the House of Representatives then, and his work for me was in the field of education. At that time I served on the House Committee on Education and Labor. Subsequently, Dr. Young came to the Senate for his 4 months' tour of duty there and worked on education with my distinguished predecessor in the Senate, Hon. James E. Murray, chairman of the Committee on Labor and Public Welfare.

Thoroughly grounded in educational policy, an admirable administrator, an able technician, Dr. Young is a young innovative, and understanding administrator whom UCLA is extremely fortunate to obtain. He is knowledgeable, he is aware, and he is flexible in his approach to educational problems.

I am proud to have been associated with Dr. Young and look forward to further achievements on his part.

I ask unanimous consent to have printed in the RECORD an article, published in the New York Times, on the appointment of Dr. Young as chancellor of UCLA.

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

[From the New York Times, July 15, 1968]

DIRECT-ACTION EDUCATOR: CHARLES EDWARD YOUNG

BERKELEY, CALIF., July 14.—A towering, square-shouldered exponent of "direct-action," who likes to report to his office by 6:30 or 7 o'clock in the morning to get his "paper work" out of the way, takes over the chancellorship of the University of California at Los Angeles on Sept. 1. It will be about the easiest administrative transition in history for a big campus when Dr. Charles Edward Young, at the age of 36, succeeds Dr. Franklin D. Murphy, 52, chancellor since 1960. Dr. Murphy is leaving to become chairman and chief executive officer of The Times Mirror Company in Los Angeles.

The transition will be simple because Dr. Young, a political scientist and administrative vice chancellor at U.C.L.A., has worked closely with Chancellor Murphy for eight years and their thinking is much alike. The Young appointment was announced at Friday's meeting of the university's board of regents.

Dr. Young, who carries 210 pounds on his six-foot two-inch frame, confesses to liking "to get people together who are going to have to be involved in working out a solution to a problem and work it out."

"I don't stand on protocol," he says.

SYMPATHETIC, BUT FIRM

He has been much involved with student affairs as vice chancellor. An associate tells of a campus incident in which students protesting the Dow Chemical Company's manufacture of napalm sat in the hall outside Dr. Murphy's office and refused to leave unless they could talk to the chancellor.

Dr. Murphy, however, was in New York, and Dr. Young saw them instead.

As Dr. Young was talking, two or three became abusive, the associate related, and he walked out with the comment that he would not stay where that kind of language was used.

"He handled it very coolly," his associate related. "His technique is one of sympathy, but firmness. He's no memo writer."

CHALLENGED BY SLUM PROBLEMS

The university expects to become more and more involved with problems of the slums, and Dr. Young views this as a major challenge. A friend said that when Negro students at U.C.L.A. formed the Black Student Union, "almost immediately, Chuck sat down with the leadership."

"He told them: 'Look fellows, I admire you for your desire and your instinct to do something for black students. But if that is sincerely your wish, you will get more done if we sit down together and talk of positive things instead of your confronting Chancellor Murphy with an ultimatum.'"

According to the story, the Negro students then came up with projected courses in such areas as Negro history and took part in a search for young Negro high school graduates needing help in getting into college.

Dr. Young was born on Dec. 30, 1931, in San Bernardino, Calif., where he attended high school and junior college. He was in the Air Force during the Korean conflict, returned to enter the University of California campus at Riverside, where he was that campus' first student body president.

WORKED IN WASHINGTON

He went to Washington in 1958 on a Congressional fellowship and worked there with Representative Lee Metcalf and Senator James A. Murray, both of Montana.

Before Chancellor Murphy picked him as his administrative assistant, Dr. Young was on the staff of former President Clark Kerr of the University of California.

He is married to the former Sue Daugherty whom he met in college. They have two children, Charles Jr., 12, and Elizabeth Susan, 7.

Dr. Young sizes up present-day university students as "an extremely interesting group." He commented the other day:

"If brought in appropriately to the development of programs of the university and their implementation, student activism can be a very positive and progressive force."

PRESIDENT JOHNSON'S CENTRAL AMERICAN TRIP HIGHLY SUCCESSFUL

Mr. SPARKMAN. Mr. President, President Johnson's recent trip to Central America emphasizes the broad changes that have taken place in our relations with our neighbors to the south.

The enthusiastic reception given the President at the El Salvador meeting of the Chief Executives of the Central American nations and at the other capitals is clearly an indication of the mutual respect that has developed as a result of the cooperation and friendship ex-

pressed for Latin America generally by the President.

He is to be congratulated for his efforts both in San Salvador and at the earlier meeting in April 1967 of the American Chief Executives to encourage an accelerated forward movement in the integration programs which will bring about social and economic development of those countries.

The President has constantly before him his dedicated goal of strengthening the U.S. commitments to the development of Latin America. All of us are aware he has been an enthusiastic supporter of the Alliance for Progress, the partnership of the hemisphere nations and an instrument by which the Latin Americans are trying to help themselves raise their standards of living in an atmosphere of peace and freedom.

Our policy for Latin America is based upon the success of the Alliance for Progress. We will be observing shortly the 7th anniversary of the Alliance. This occasion will provoke observations throughout the hemisphere that there has been evident progress toward fulfillment of this peaceful revolution. This progress has been especially evident in the last 3 or 4 years.

This is a sustained program although subject to constant ups and downs as it moves the hemisphere toward integration and development. Everyone familiar with the program knows years and decades possibly will pass before we can say that the development job was successfully carried out. And even then, I doubt that it will be finished. Certainly we cannot look at the United States today and say that we are 100-percent developed. It is quite apparent that we are not.

What I want to say is that I believe we have begun building on a strong foundation for the development of Latin America, thanks to the encouragement, first of President Kennedy, and later of President Johnson. What is required now is a sustained effort because there is plenty of evidence that the process of development as contemplated in the Charter of Punta del Este is beginning to work. It is really amazing that as much has been accomplished in as comparatively a short time as we have already seen.

In the past 4 years the administration has strengthened our country's commitment to the Alliance. I recall on November 26, 1963, President Johnson telling a meeting of Latin American diplomats in the White House that he was determined to devote "all the energies of my Government to our common goals" and his intention to contribute to "an American community of Nations moving forward together in progress and freedom."

Speaking at the White House last April on the occasion of the retirement of OAS Secretary General Jose A. Mora, the President said:

We have strengthened the security of our hemisphere beyond doubt. We have waged a successful battle for economic opportunity and social justice in Latin America. . . .

To cite a few facts, the average per capita growth in Latin America has more than doubled over the first three years of the Alliance, from nine-tenths of one percent in 1961 through 1963, to two and two-tenths percent from 1964 through 1967.

The United States has put \$7,700 millions at the service of the Alliance for Progress. That is 35 percent higher per annum in the last four years than we did in the first three years.

The enrollment in the primary schools has increased by almost 7,000,000 students, and in secondary schools by close to 2,000,000 students. The number of cooperatives has increased by over 35 percent. A quarter of a million land titles have already been distributed, and tax collections, which rose \$489,000,000 in the 1961-63 period, increased to nearly \$3,000,000,000 during the 1964-67 period.

The U.S. obligations have increased from \$2,803 million during the calendar years 1961-63 to \$6,895 million during 1964-68. Also significant was a rise of 67 percent to over \$1.5 billion in U.S. private direct investment between the two periods.

The President's interest in Latin America was very apparent at the 1967 Punta del Este summit meeting where the U.S. commitment to the Alliance was dramatically reemphasized when Mr. Johnson declared:

I represent a nation committed by history, by national interest, and by simple friendship to the cause of progress in Latin America.

He pledged:

I will do all I can, in my time of leadership, to help you meet these challenges.

At Punta del Este the Chief Executives recognized the importance of integrating the region's economies according to a definite timetable. They singled out agriculture and education for especially intensive action during the coming decade which the President has called the "Decade of Urgency." They recognized the critical role of science and technology in the development of the hemisphere; these and other decisions are the most important ever taken collectively by the Latin American nations and indicate a remarkable development of attitudes since the beginning of the Alliance.

The implementation of the summit decisions has been underway. One of them resulted just the other day in the dedication of a pilot educational television system in El Salvador which has undertaken an imaginative and bold approach to educate its masses.

President Johnson just signed legislation authorizing U.S. contribution of \$300 million annually for the next 3 years to the Inter-American Development Bank, an increase of \$50 million over what we had been contributing the previous 3 years. In similar moves to support multilateral financing of development we have two loans totaling \$50 million to the Central American Integration Bank during the past year. These moves emphasize our growing interest in development on a multinational basis.

On the political front the once coup-prone Latin American republics are finding constitutional answers to their problems. There is gratifying evidence of a growing commitment to democratic processes since the Alliance began. One of the goals of the Alliance is to improve and strengthen democratic institutions and in the 1967 meeting the American Presidents restated their commitment to democratic institution building in their Action Plan to accelerate development.

Moreover, 17 countries in the last 2 years have held successful elections to give proof to the political stability.

Of course, democratic processes by themselves do not necessarily insure political stability, but we hope the trend will continue. Two countries, both freely elected, are confronted with long-standing economic problems and thus increasingly threatened by resulting political unrest.

Subversion and insurgency remains to trouble our neighbors. Our objective is to help them in their capabilities to control and eliminate subversion. Cuba, which remains an outcast from the American family, continues to advocate and support "wars of national liberation." The Cuban efforts have yet to succeed. But they have forced diversion of energy and resources from the social and economic development, such as the recent campaign in Bolivia which resulted in the capture of Castro's principal lieutenant, Che Guevara, and his subsequent death. The advocates of insurgency found little hospitality in Bolivia. Generally speaking there appears to be a lessening of guerrilla activities in those countries where it surfaced. Increasingly effective governmental countermeasures and little internal support have contributed materially to Castro's failures.

We realize from our commitments with our neighbors that our major objectives in our Latin American policy will be to maintain the forward momentum of the Alliance as evidenced by the President's trip to Central America.

We will be seeking to encourage further growth of the educational and agricultural sectors as well as development of institutions that strengthen democratic growth and what can be done in this direction will depend upon the outcome of legislative action for the fiscal year 1969 foreign aid program.

President Johnson in June of 1967 expressed the hope that this country and Panama had reached a point of agreement concerning the future of the Panama Canal. A presidential election earlier this year delayed consideration and when conversations may resume is problematical, at least until the new President is inaugurated next October.

Latin America stands today on the threshold of self-sustained growth. It has approached that position with our help, with the help of other nations and with the help of the international financing agencies, as well as their own. It has been helped by the increasing awareness of its own leaders that they have a primary responsibility to achieve social and economic development. It has become increasingly noticeable that they are more and more confident of their ability to do the job.

The modernization of Latin America will be to the benefit and wellbeing of the United States. Let us express our thanks to the President and to others in his administration who have labored long and hard in these endeavors.

CAPTIVE NATIONS WEEK

Mr. PERCY. Mr. President, I would like to take the occasion of Captive Nations Week to reaffirm the belief of Americans in the right of all peoples to

self-determination, and to reassert our solidarity with those in Eastern Europe who continue their quest for the enjoyment of their basic rights.

We have seen unmistakable evidence in the last year of the continued will of the people for reform, and the recent movement toward liberalization in some Eastern European countries attests to the value and importance of continuing the struggle for self expression. I hope that the trend toward liberalization will continue and spread throughout Eastern Europe, so that the people of the region may have greater freedom and may enjoy the fullest expression of their religious and cultural traditions.

LAND AND WATER CONSERVATION FUND

Mr. METCALF. Mr. President, earlier today President Johnson signed into law S. 1401, as amended by both the House and Senate in conference. This measure provides gravely needed new sources of revenue for the land and water conservation fund and provides the Secretary of the Interior with new administrative authority to deal with the growing problem of escalating land costs.

Land cost escalation is threatening the success of the outdoor recreation programs of the States and the Federal Government, and, while the provisions of S. 1401 will unquestionably be of help, we in Congress must join with the administrative agencies in finding still more effective means to meet this threat. The Committee on Interior and Insular Affairs plans to go into the matter in some depth early in the 91st Congress.

However, there can be no question that S. 1401 is a truly constructive piece of legislation. It was properly described by the Washington Post in an editorial published last Wednesday, July 10, as "probably the most important conservation measure passed by the 90th Congress."

The editorial also gives appropriate recognition to the leadership of the distinguished Senator from Washington [Mr. Jackson] in guiding the bill through the Interior Committee, through the prolonged debate in the Senate, and through the conference with the House.

I ask unanimous consent that the editorial be printed in the RECORD.

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

CONSERVATION LANDMARK

Congress has wisely fixed a new floor under the Nation's conservation efforts. The amendment to the Land and Water Conservation Fund Act, which it has sent to the White House, provides that if the sums now flowing into the fund plus direct appropriations do not total \$200 million a year, during the next five years, receipts from oil and gas leases on the Outer Continental Shelf will be drawn upon to bring the total up to that level. It is an emergency measure designed to make possible the purchase of park and recreation lands before they are priced out of sight.

In recent years Congress has authorized several national seashores, national parks and recreational areas for which some land remains to be purchased. Before adjournment it is expected to authorize an expensive Redwood National Park. Delay in acquiring such lands has proved to be inordinately expensive. The same is true in the case of state

and local parks and recreational areas for which the Government has provided \$161 million to date.

Fortunately, the new bill does not stop with its guarantee of additional funds for park land purchases. It also authorizes the Secretary of the Interior to enter into option contracts for the acquisition of lands in the national park system up to \$500,000 a year. Probably more important is the \$60 million of advance contract authority over the next two years, along with lease-back and sell-back provisions and liberalized authority to exchange lands for the benefit of the national park system.

Senator Jackson is entitled to special credit for shepherding the measure through a complex controversy in the Senate and in the conference committee. The bill is probably the most important conservation measure passed by the 90th Congress. It merits prompt signature by the President because of its importance to the Nation's future recreational system and because of the enormous savings it will make possible.

ESSENTIAL SERVICES SHOULD NOT BE CUT FROM HOUSING BILL

Mr. MOSS. Mr. President, the conferees on the far-reaching housing bill of 1968 are meeting today to take historic action that should have direct meaning to millions of Americans.

Pleased as we may be, however, with most of the provisions of this bill, I feel that I must rise today to discuss one deletion made by the House last week. As chairman of the Subcommittee on Housing of the Senate Special Committee on Aging, I believe that a proposed cutback of funds for services is of special concern to the elderly, but it also has deep meaning for other age groups as well.

During more than the quarter of a century of public housing development, attention has been focused on bricks and mortar—building safe and sanitary housing for America's poor. Poor people, including the elderly poor, suddenly removed from dirty, rat-infested, crowded slum tenements and shacks, have been expected to find their own way, with only the most limited experience, into the midstream of community life, without benefit of education, training, or sympathetic and helpful guidance.

Many local housing authorities have been trying to provide management-related services to their tenants—whether old or young—but their efforts have been thwarted by the tiny sums they can eke out of their operating incomes. Community resources on which they so often have to depend, already are stretched beyond the point where assistance of substance can be made available.

Over a third of the tenants in our public housing projects are elderly, and there are about 233,000 elderly families in our low-rent projects. The average annual income for single elderly is just barely over \$1,200, and for elderly couples in public housing is only a little over \$2,100. Can you imagine the agonizing choice that has to be made between food, clothing, and shelter and health care on incomes at these and lower levels?

So the poor, whether elderly, or younger and with small children, who move into public housing often are left to flounder for themselves in the effort to improve their economic status and to

adjust to urban life. Many are even unaware of the host of services and benefits which are available and to which they are entitled. Not another day should pass that our elderly poor should be uninformed about Medicare, as was so dramatically found in project find; or uninformed about food-stamp programs; welfare benefits; even social security payments. No longer should the elderly be isolated in their apartments, unaware of the many aids and activities which can give meaning to their lives and provide opportunities to be contributing members of their society. No longer should our senior citizens do without home health services if they need them, or meals on wheels, or visiting nurse services, or not know that a senior center is open to them for a variety of activities and programs. Nor should a working mother remain ignorant of nearby child care facilities, or an ailing breadwinner of a nearby outpatient clinic. Even if the poor, and especially the elderly poor, know the programs exist, they may be afraid to apply—afraid that such action will jeopardize, for some unknown reason, their modest improvement in living quarters. And if unafraid, the elderly may not be mobile enough or able to afford the cost of transportation to the source of the particular service.

Public housing authorities want to provide management services and programs. We have almost 2,000 places where low-rent public housing for the elderly is operating. The tenants, whether old or young, need guidance and advice on how to care for their new homes; how to live together; how to budget; and where to obtain medical and health services. They need counseling on family problems, educational and recreational resources, job counseling and training, and the use of leisure time. These are the kinds of help which can make or break the effort to bring the poor in public housing into the mainstream of our society and lift them from the despair and depths of a life of poverty and grime—empty of purpose—the kind of life which for too many families has continued from generation to generation.

This year, President Johnson, Secretary Weaver, and we in the Senate gave recognition to this sad and unforgivable state of affairs. We have voted to authorize up to \$20 million for these services in fiscal 1969, and up to \$40 million in fiscal 1970. These funds will not be used to duplicate welfare services available from other sources—Federal, State, local, or private. They will help make them more available at places and times when needed. In doing so, they will help make low-cost housing which is of good physical design into better managed housing that provides better living conditions.

It is most unfortunate that the House voted to cut the funds for this program. I urge the conferees to restore those cuts. The need for these services is unquestioned. Our poor residents in public housing need every encouragement and assistance possible from management, and they must know what programs and services are available to them from other sources, and how to obtain them. Low-income families of all ages and sizes, including the elderly, would benefit direct-

ly by the enactment of this program. The end product would be better communities and better lives for all our citizens.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

EXTENSION OF PUBLIC LAW 480—CONFERENCE REPORT

Mr. ELLENDER. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2986) to extend Public Law 480, 83d Congress, for 3 years, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of July 12, 1968, pp. 20995, 20996, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ELLENDER. Mr. President, the conference committee of Senate and House Members on the extension of Public Law 480 resolved their differences on Wednesday, July 3, 1968, in a manner entirely satisfactory to Senate conferees.

The Senate bill passed earlier this year provided for a 3-year extension. The House bill, on the other hand, provided only for a 1-year program. The conferees agreed on a 2-year extension to December 31, 1971.

The authorization was not in conference and remains at not in excess of \$1.9 billion per year for title I and not more than \$600 million for title II, plus carry-over for both titles. In calendar year 1967 sales agreements under title I were signed valued at \$639.9 million, while donations under title II are valued at \$479.3 million.

In addition to the above stated difference, the Senate version contained two amendments while the House bill contained eight entirely different amendments. All amendments were accepted by the conference committee with slight modifications in three of the House amendments.

One of the Senate amendments would have encouraged voluntary population control programs by providing that if requested by the recipient country, not less than 5 percent of total sales proceeds each year shall be used for such programs. Also, the carrying out of voluntary programs to control population growth was added to the several self-help measures which are considered by the President before entering into agreements with foreign countries.

The second Senate amendment broadened existing use of foreign currencies to extend it to all cultural and educational

exchange programs instead of just those authorized by the Mutual Educational and Cultural Exchange Act of 1961; and required at least 2 percent of total sales proceeds each year in each country to be used for such purposes.

The House amendments were, first, to make mandatory that the President require immediate payment by recipient countries where needed in dollars or foreign currencies for payment of U.S. obligations and certain other purposes.

The second House amendment would assure that this country obtain a fair share of any increase in commercial purchases of agricultural commodities by participating countries.

Two other amendments would assure convertibility of foreign currencies for payment of wages earned in the development of works of public improvement in the purchasing countries, and for the procurement of materials or commodities in the purchasing countries.

Another House amendment would authorize use of foreign currencies for rodent, weed, insect, and other plant and animal pest control.

Further, the House amended the barter provisions of the act to eliminate barter except for offshore procurement. The conferees limited barter to bilateral contracts in addition to offshore procurement.

The House also made changes in the makeup of the advisory committee now provided in law and required meetings last quarter. The conferees agreed on four meetings each year. Finally, the House prohibited the financing of exports by any person engaging in commerce with Vietnam and required exporters to furnish information as to ownership and control. Some modifications were also made in this amendment.

Mr. President, I move adoption of the conference report.

Mr. AIKEN. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. AIKEN. Mr. President, I have heard no objection to the adoption of the conference report. The conference with the Agriculture Committee of the House was very satisfactory indeed. In fact, it was probably the shortest conference in many years, which was very gratifying.

I should like to concur in the motion of the Senator from Louisiana that the conference report be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana.

The motion was agreed to.

COMMITTEE MEETING DURING SENATE SESSION TODAY

Mr. MORSE. Mr. President, I have been requested to ask unanimous consent that the Subcommittee on Labor of the Committee on Labor and Public Welfare be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

HIGHER EDUCATION AMENDMENTS OF 1968

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title.

The BILL CLERK. A bill (S. 3769) to amend the Higher Education Act of 1965, the National Defense Education Act of 1958, the National Vocational Student Loan Insurance Act of 1963 and related acts.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. MORSE. Mr. President, I ask unanimous consent that the following staff members of the Committee on Labor and Public Welfare be granted floor privilege during debate on S. 3769 and S. 3770, for the purpose of assisting Senators. I understand that, under the rules, I must name the individuals for whom I ask this unanimous consent. They are:

Mr. Jack Forsythe, Mr. Charles Lee, Mr. Richard Smith, Mr. William Lebov, of the majority staff; Mr. Roy Millenson, and Mr. Eugene Mittelman, of the minority staff; and the committee clerk, Mr. Stewart McClure.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I have distributed to each Senator a copy of my remarks, explaining the contents of the Higher Education Amendments Act of 1968, S. 3769.

When we dispose of that bill, the Senate will then proceed immediately to the consideration of S. 3770, the vocational education bill.

Mr. President, once again it is my privilege to bring to the floor of the Senate a bill which represents the considered judgment of the Senate Committee on Labor and Public Welfare on a measure which, while initiating a few new programs, is mainly concerned with perfecting the statutory authorities for higher education now on the books.

Once again I am very pleased to bring to the floor of the Senate a bill that received the unanimous vote of the Senate Committee on Labor and Public Welfare. That does not mean that amendments to the bill will not be offered by some members of the committee, amendments which were considered in committee and turned down by a majority of the committee. There may very well be amendments offered by members of the committee that were not considered in committee. But I am pleased to report that

the committee unanimously approves the format of these two bills.

Once again, I am greatly indebted to my colleagues on the committee and wish to express publicly my appreciation for their unfailing cooperation to me in carrying out my task in managing these bills on the floor of the Senate.

This measure, unlike many of its fore-runners gives evidence that we have heeded the requests of the educational community and the American public that we bring into the whole field of educational legislation elements which will permit the consolidation and the mutual reinforcement of our existing authorities.

When this measure is enacted and its provisions become operative, I feel we will have taken a long step toward the ultimate goal—codification of law in this area.

In my presentation today, since the subject matter area covers such a multitude of concerns, individually each of which while important nevertheless carries on its face the justification for its substance, I propose to make this presentation less detailed than would ordinarily be the case.

BRIEF HISTORY OF THE LEGISLATION

At the beginning of the 90th Congress in the first session, we received from the administration two measures, one of which was concerned with higher education and changes in the National Defense Education Act. In the first session of the 90th Congress, based in part upon the recommendations, there was enacted the Educational Professions Development Act, Public Law 90-35, as well as a modification of the college work-study program which became law as Public Law 90-82.

In January, Presidential messages were again received which resulted in introduction of S. 3098. Hearings on the un-enacted portions of S. 1126 and S. 3098. obtained testimony on those bills and they also provided a medium whereby we elicited information on a great number of other Senate measures in the field of higher education which had been offered to the committee.

I am exceedingly pleased at the high caliber of the witnesses on the manifold aspects of the bills who appeared before us in the 11 days of our hearings. Before each Senator is a set of our hearings record which incorporates the materials given to us for our consideration.

The Education Subcommittee in executive sessions, and the full committee, considered carefully the valid viewpoints and positions which had been presented, weighed and evaluated the proposals received and determined by unanimous vote that the reported measure be sent to the floor of the Senate.

Once again we carried out a practice we have developed in the Senate Subcommittee on Education which we think produces a set of hearings each year the reliability of which and the contents of which are of great help to our subcommittee. We conduct our hearings in the form of seminars. We call in two, three, four, five, sometimes even more, experts on a given phase of an educational subject matter. They conduct a

seminar for us. They take over the committee hearings at that point. The members of the committee, in fact, become their students for the duration of that seminar. The participants in the seminar, as will be seen from the hearings, ask each other questions. They participate in a joint discussion of a given problem. Then the members of the committee in turn participate in the hearing by seeking to elicit from the members of the panel answers to questions that come to our minds.

I am very proud once again to present to the Senate this type of Senate reporting. We have found in the past, and Senators will find, I am sure, with respect to the use of these volumes, that the demand for our committee hearing reports is very great from the colleges and also from the secondary schools of our country. In fact, a good many professors of education have written to us and told us that large sections of our hearing reports are used as required reading in their education courses on many campuses of this country.

I wish to pay tribute to the spirit which emanated from both sides of the aisle. It was a spirit in which political partisanship played no part; rather, we were concerned to keep our collective eye upon the issues of the language, upon the primary recipient, the student and the institutions serving the student. The reported bill bears a very strong imprint, therefore, from both majority and minority members of the committee and, in my judgment, each addition or each change that was accepted has strengthened and improved the basic administra-

tion proposal. I think we have a record which will withstand the test of the Senate floor, and I hope will emerge substantially unchanged from conference.

With that brief introduction, I now turn to the provisions which are to be found in S. 3769. Although the bill itself is but 122 pages, the scope of its coverage is perhaps best exemplified by the five pages which make up the table of contents.

SUMMARY OF PROVISIONS

Title I contains provisions extending ongoing programs which in the view of the committee merit further funding authority.

At this point I should like to say that the principle we followed was that of extending these programs for a 4-year period. The House companion measure does not reach as far down the road. However, if we are to have orderly consideration of all aspects of legislation, I think it imperative that we arrive at a cycle of consideration which would allow each session of the Congress to devote its attention to a major area.

I would hope ultimately that we could arrive as a cycle which would permit in one year congressional review of the field of elementary and secondary education, and review in the second year of higher education, and in the third year a review of vocational and special education statutes. If this can be ultimately achieved, I think it will go far to improving the depth of the legislative oversight functions which in our committee we feel to be a very important part of our responsibilities in the consideration of proposals which come before us.

Title II of the bill contains provisions which affect the various programs of student assistance which have been enacted under the various predecessor bills.

Title III of S. 3769 contains amendments to the various titles of the Higher Education Act of 1965.

Title IV contains language affecting the Higher Education Facilities Act of 1963.

Title V is concerned with language changes in the National Defense Education Act of 1958.

Title VI sets forth the new programs which the Administration proposes to be added to the Higher Education Act of 1965 and proposals derived from senatorial bills and amendments which in the judgment of the committee were felt to merit inclusion in this basic statute.

Title VII contains miscellaneous provisions, the most important of which confers upon the College of Guam land-grant status in a manner similar to that which the Senate approved for the Federal City College earlier this session.

I turn now, Mr. President, to a more detailed presentation of the titles.

TITLE I

With respect to the extension of the programs and the funding provided, this can, I think, best be set forth before the Senate in the form of two tables which appear in the committee report. I ask unanimous consent that the tables to which I have alluded be printed at this point in my remarks.

There being no objection, the tables were ordered to be printed in the Record, as follows:

TABLE I.—EXTENSION AND AMENDMENT OF EXISTING PROGRAMS
PROJECTED OBLIGATIONS, S. 3769, HIGHER EDUCATION AMENDMENTS OF 1968

[In thousands]

	1968		1969		1970	1971	1972
	Authorization	Appropriation	Authorization	House appropriation	authorization	authorization	authorization
TITLE I.—EXTENSION OF EDUCATION PROGRAMS							
PL A—Higher Education Act of 1965:							
Title I—Community service and continuing education programs.....	\$50,000	\$10,000	\$50,000	(1)	\$50,000	\$60,000	\$60,000
Title II—College library resources.....	50,000	24,522	50,000	(1)	75,000	90,000	90,000
Title II—B—Library training and research.....	15,000	11,800	15,000	(1)	28,000	38,000	38,000
Title II—C—Strengthening college and research library resources.....	7,770	5,478	10,000	(1)	11,100	11,100	11,100
Title III—Strengthening developing institutions.....	55,000	30,000	55,000	(1)	70,000	91,000	96,500
Title IV—Educational opportunity grants:							
Educational opportunity grants.....	\$70,000	140,600	\$70,000	(1)	\$100,000	\$140,000	\$140,000
Talent search.....	(2)	4,000	8,500	(1)	14,000	16,000	18,000
Title IV—B—Insured loans to students: Interest.....	(2)	40,000	(2)	(1)	(2)	(2)	(2)
Title IV—C—College work-study program.....	200,000	134,300	200,000	(1)	255,000	285,000	285,000
Title V—Education progressions development.....	318,000	48,500	385,000	\$141,900	492,000	492,000	492,000
Title VI—Equipment for higher education:							
PL A—Television.....	10,000	1,500	10,000	(1)	10,000	10,000	10,000
PL A—Other.....	60,000	13,000	60,000	(1)	60,000	60,000	60,000
PL B—Faculty.....	5,000	2,500	5,000	(1)	5,000	5,000	5,000
PL B—Higher Education Facilities Act of 1963:							
Title I—Grants for undergraduate facilities.....	728,000	407,000	936,000	(1)	936,000	936,000	936,000
Title II—Grants for graduate facilities.....	120,000	50,000	120,000	(1)	120,000	120,000	120,000
Title III—Loans for construction of facilities.....	400,000	\$100,925	400,000	(1)	400,000	400,000	400,000
Sec. 408—Major disaster assistance.....	(2)		(2)		(2)	(2)	(2)
PL C—National Defense Education Act of 1958:							
Title II—National defense student loan program.....	225,000	190,000	250,000	(1)	275,000	300,000	300,000
Title III—Strengthening instruction in elementary and secondary education.....	110,000	80,280	110,000	(1)	120,000	130,000	130,000
State administration.....	10,000	2,000	10,000	(1)	10,000	10,000	10,000
Title IV—National defense fellowship program.....	(2)	86,000	(2)	(1)	(2)	(2)	(2)
Title V—Guidance, counseling and testing:							
State grants.....	30,000	24,500	30,000	(1)	40,000	54,000	54,000
Institutes.....	7,250	7,250	7,250	(1)	7,250	7,250	7,250
Title VI—Language development:							
Language and area centers.....	18,000	12,700	19,000	(1)	30,000	38,500	38,500
Research.....	5,000	3,400	5,000	(1)	5,000	5,000	5,000
Title VII—Educational media.....	2,800	(2)	2,800	(1)	2,800	2,800	2,800
Title X—Statistical services.....	57,000	30,000	57,000	(1)	57,000	57,000	57,000
Title XI—Institutes.....	40,000	0	90,000	0	90,000	90,000	90,000
PL D—International Education Act of 1946.....	(2)	360	(2)	(1)	(2)	(2)	(2)
PL E—National Vocational Student Loan Insurance Act of 1965: Interest.....	500	500	500	(1)	500	500	500
PL F—National Foundation on the Arts and Humanities Act of 1965: Sec. 12—Equipment.....							

See footnotes at end of table.

TABLE I.—EXTENSION AND AMENDMENT OF EXISTING PROGRAMS—Continued
PROJECTED OBLIGATIONS, S. 3769, HIGHER EDUCATION AMENDMENTS OF 1968
(In thousands)

	1968		1969		1970	1971	1972
	Authorization	Appropriation	Authorization	House appropriation	authorization	authorization	authorization
TITLE II—STUDENT ASSISTANCE PROGRAMS							
Pt. A—Amendments to pt. A of title IV of the Higher Education Act of 1965:							
Special services for disadvantaged students.....					\$15,000	\$80,000	\$80,000
Transfer of Upward Bound.....							
Pt. B—Amendments to student loan insurance program:							
Reserve fund.....			\$12,500	(1)			
Increase of Federal insurance premium ¹⁰			(1,570)		(1,884)	(2,198)	(2,512)
Pt. C—Loan forgiveness and payments on insured loans:							
Increase in loan forgiveness for teachers.....			734	(1)	764	793	852
Forgiveness for military service.....			3,290	(1)	3,422	3,553	3,816
Payment of insured loans for teachers and military personnel.....			54,506	(1)	135,021	159,868	184,311
Pt. F—General provisions concerning student assistance cost of education allowance ¹¹			3,185	(1)	5,240	2,055	
Total.....	2,594,320	1,468,955	3,028,695	144,900	3,421,213	3,693,221	3,723,117

¹ House of Representatives has taken no action on appropriation request.

² Plus continuation costs.

³ Indefinite.

⁴ Subsumed under pt. E of EPDA.

⁵ Includes \$100,000,000 carryover from fiscal year 1967.

⁶ 7,500 new fellowships per year.

⁷ Subsumed under pt. D of EPDA.

⁸ Continued under the Cooperative Research Act as amended.

⁹ Funded under title V ESEA.

¹⁰ Income to Treasury.

¹¹ Amendments cover fellowship programs under pt. C of Education Professions Development Act and title IV of National Defense Education Act. Amounts represent increased costs for pt. C for which authorization for new awards expires June 30, 1970. Increased costs for title IV are included in total costs under pt. C, title I of amendments which would extend program for 4 years.

Note: Grand total—\$13,866,246 (authorizations fiscal year 1969 to fiscal year 1972).

TABLE II.—NEW PROGRAMS
PROJECTED OBLIGATIONS, S. 3769, HIGHER EDUCATION AMENDMENTS OF 1968
(In thousands)

	1968		1969		1970 authorized	1971 authorized	1972 authorized
	Authorization	Appropriation	Authorization	House appropriation			
TITLE II—STUDENT ASSISTANCE PROGRAMS							
Pt. E—Cooperative education:							
Planning and operation.....					\$8,000.00	\$10,000.00	\$10,000.00
Training and research.....			\$500.00		750.00	750.00	750.00
Pt. F—General provisions concerning student assistance: Testing of secondary students.....			150.00				
TITLE IV—AMENDMENTS TO HIGHER EDUCATION FACILITIES ACT							
Grants to reduce borrowing costs.....					6,750.00	13,500.00	(1)
TITLE VI—NEW EDUCATION PROGRAMS							
New titles of the Higher Education Act of 1965:							
Title VIII—Networks for Knowledge.....					4,000.00	15,000.00	15,000.00
Title IX—Education for Public Service.....					5,000.00	13,000.00	13,000.00
Title X—Improvement of graduate programs.....					5,000.00	10,000.00	10,000.00
Title XI—Law school clinical experience programs.....					7,500.00	7,500.00	7,000.00
Title XII—U.S. Foreign Service Corps.....					15,000.00	30,000.00	30,000.00
College of Guam:							
Bankhead-Jones Act (increase) ²			152,250		152.25	152.25	152.25
First Morrill Act.....			³ 890,995				
Planning authorization.....			1,700,000				
Total.....			3,393,245		52,152.25	99,902.25	86,402.25

¹ Amounts necessary to carry out contracts approved prior to fiscal year 1972.

² Permanent authorization.

³ 1-time payment in lieu of land-grant.

Note: Grand total, \$241,849,995 (authorizations fiscal years 1969-72).

Mr. MORSE. Mr. President, Senators will note that although we have provided for a uniform 4-year duration of the programs, we have taken note of the funding difficulties and have directed that new programs be not funded operationally until fiscal year 1970.

I wish to pause just long enough to stress this matter, Mr. President. I am delighted to be joined by the Senator from New York [Mr. JAVITS], who is the leader of the Republican side of the committee, though I quickly add that there really are no party sides in this committee, for we have acted, as we should, in a nonpartisan fashion.

Senator JAVITS has been exceedingly helpful to me as the chairman of the subcommittee and the acting chairman of the full committee for the consideration of these two bills, and I am glad to have him hear me say now, in regard to

the point I have just made—and I repeat it—that we have taken note of the funding difficulties and have directed that new programs be not funded operationally until fiscal year 1970.

We think that is just legislative realism, Mr. President. It was originally proposed that this funding be provided for 1969. But we have to face up to the fiscal problems confronting the country, and we think the course of action which the committee unanimously recommends is the wiser course; namely, that the funding be postponed until fiscal year 1970.

In doing so, however, in order that the new programs may be started with as little delay as possible next July 1, we have provided in fiscal year 1969 for the inclusion of an item of \$1.7 million to fund preparatory activities for the new programs contained in this act and in the companion measure relating to

vocational education, which, it is my hope, will immediately follow Senate consideration of S. 3769.

At this point I also wish to express my personal observation as a Senator from Oregon serving with my colleagues on the subcommittee and the full committee, that I believe the authorization levels we have provided do not meet the full need as developed in our testimony. However, in view of the demonstrated reluctance on the part of the Bureau of the Budget to give credence in its requests to the need factors as set forth in authorizations approved for prior years, it was our committee's conclusion that since we will have an opportunity within a 4-year period to adjust our authorization ceilings and since the forward funding provisions affecting educational programs now found in the elementary and secondary area only are generalized to

cover all programs, it was our judgment that the figures we bring to the Senate represent the best compromise which could be arrived at.

The forward funding provisions are a work of major importance in that they insure a degree of certainty which should result in greater economy and efficiency in the operation of programs than heretofore has been the case. This value alone, in my mind, weighed heavily in favor of accepting the limitations which the committee felt wise to place upon the authorization ceilings.

TITLE II

Title II of the bill, which covers student assistance programs, is divided into four parts.

In part A will be found amendments to part A of title IV of the Higher Education Act of 1965. In part B are set forth amendments to the student loan insurance program of that act; part C covers loan forgiveness and payments on insured loans; part D is related to the college work-study program; and in part E is placed the new program for cooperative education. In part F may be found general provisions relating to student assistance.

Section 201 broadens section 401(a) of the Higher Education Act by including within it State programs as well as the existing authorities for your institutions of higher education. The language of this part was generally designed to bring together in a coordinated way the programs of talent search, educational opportunity grants, and for fiscal year 1971 the programs now administered by the Office of Economic Opportunity in the Upward Bound area. It is particularly important that this be done since in this part in section 203 are contained the administration recommendations for special services for disadvantaged students.

UPWARD BOUND TRANSFER

Because of the discussion that I know will follow before the debate on this matter is over, I make very brief reference at this time to the Upward Bound program. Senators will note, as I have said, that it will continue in the Office of Economic Opportunity for the year 1971. It was proposed in committee that it continue only until 1970. The committee voted seven to six in favor of continuing it until 1971. I understand that an amendment will be offered on the floor during the debate to return to the year 1970. The proponents of the amendment will make their case at that time. As far as the chairman is concerned, he will support the amendment, for I think the transfer should take effect in 1970 instead of 1971, for reasons that will be brought out; otherwise, we will really have, as I referred to it in committee, a vacuum year to go beyond 1970, because we would have no authorization for that period of time.

I also think that, as a matter of merit, the sooner Upward Bound is put in the Department of Health, Education, and Welfare, the better. In fact, I believe that the educational program, in the interest of efficiency, better administration, and the saving of money, should be centered in one department of the Government,

and that ought to be the Department of Health, Education, and Welfare.

It was the committee belief that if the new program was to be approved it should be thoroughly meshed into the closely related allied programs of Talent Search and Upward Bound. However, it was realized that since part B is currently being administered by a different agency time was necessary to allow for an orderly transition.

The merger of part B, however, departs from the format in the rest of our new program in that it is effective one year later than the start of other new programs. This was as the result of an amendment carried in committee by the senior Senator from Pennsylvania, who is the exceedingly able chairman of the Subcommittee on Employment, Manpower, and Poverty, and whose legislation has heretofore carried the part B authorities.

I very much regret that the matter is one which has occasioned not a difference of objective, but a difference in achieving that objective between my good friend and me; but as chairman of the Education Subcommittee in pursuance of the subcommittee policy of longstanding, I am constrained to attempt where possible to bring within the jurisdiction of the Education Subcommittee Federal programs having applicable educational content.

In this area of part B, since it is concerned with students at the secondary level, I feel that it is particularly within the province of the Education Subcommittee. It cannot be argued, as in such programs as Headstart, that the children affected are not within the mandatory school age limits.

With regard to the contention that the program would be less efficient and effective if it were operated within the HEW framework, I can only assure the Senate that it has been my experience over the years that a new spirit has invigorated the Office of Education under the Kennedy and Johnson administrations. I am persuaded that the dedication of the personnel of the Office of Education to meeting, within the framework of our statutes, needs of the children, is unsurpassed by the dedication of the personnel of any other Federal agency. I submit that this should be the criterion in making decisions affecting program organization: Can our decisions advance not the institution itself but the best interests of the child served? As I have said so many times in presenting these additional bills to the Senate, I never take my eyes off the children involved, who today are our immediate and greatest concern. With the program of special services for disadvantaged students, which the administration has proposed, added to the armamentarium provided by Talent Search and Upward Bound, I feel sure that the authorities will be used in a complementary rather than a competing fashion and that the net result will be beneficial and more economical.

INSURED LOAN PROVISIONS

In part B of title II are to be found the amendments to the student loan insurance program.

In discussing this part, I should like to pay tribute to the very helpful suggestions incorporated in the programs which were received from my colleagues on the committee, and here I have reference to the helpful suggestions from my good friend, Senator PROUTY, who offered provisions relating to the deferment of repayment of State or privately insured loans during periods when the borrower is undertaking military, Peace Corps, or VISTA service.

In this part, also, is found language which brings into coordination both the non-Federal and the Federal programs in such areas as the maximum amounts of individual loans which can be insured, the issuance of installment obligations, and the minimum amounts of repayment installments on insured loans. This part contains provisions for the Federal guarantee of student loans, the so-called Federal re-insurance provision, and provides for Federal advances to reserve funds for student loan insurance programs.

Senators will note that in section 215 we have accepted an increase in the maximum interest rate under the student loan program and made provisions for payment of the administrative costs. Here we adopted the format of the House companion measure with regard to the interest rate of 7 percent, but we will be in conference on the degree to which this additional charge should be borne by the student. It is our contention that this necessary increase, if the program is to survive, ought not to be placed as a burden on the student.

In my personal view, I can only state that I am sorry that it is necessary for this increase to be made. It is a point shared, I know, by many prominent members of the other body, including the distinguished chairman of the House Committee on Banking and Currency, who testified at length before us in opposition to the increased interest rate provision, but I submit that in this area at least we are not breaking ground; we are, as it were, conforming in this program to policy decisions in other areas which have established the precedent.

It differs from the administration proposal as brought before us, which provided for a \$35 fee, but events since introduction in the financial world, I think, have made obsolete the original administration recommendation.

Sections 218 and 219 were added by the committee. The first permits Federal savings and loans associations to invest in loans made to vocational education borrowers, and the second includes as eligible lenders pension funds maintained by national organizations.

On this point, I would stress that in my view, and I believe the view of my colleagues on the committee, and I state it as a matter of legislative history, that there is no barrier in the present act or the act as it will be modified by this legislation at this time, which would prevent an institution of higher education which wished to invest its funds in this program from being precluded from so doing. I wish to give to the Senate as part of the background in this area what I consider to be a most helpful conference held in Oregon this spring at which I presided, in bringing together

in a meeting of minds representatives of the Bureau of Higher Education and the presidents of the majority of Oregon institutions of higher education.

In that meeting the question was broached and the advice was informally given that an institution such as the University of Portland, if it wished to, could become an eligible lender for the purpose of giving loans under this program to eligible students. Subsequently, I am advised that other institutions in other parts of the country, including some in the State of Connecticut, wish to be placed in this category for the purpose I have described. And the University of Portland is a private institution.

I would hope, therefore, that the Office of Education will exercise its authorities as they presently exist to accomplish this objective. If there is any question in the minds of the Office of Education about our intent in this area and they wish to have it clarified by additional language, I respectfully suggest that I be provided with the language prior to the conference meetings in order that I may bring it to the attention of our colleagues so that the new language, if it is absolutely necessary, may be included in the conference committee recommendation.

LOAN FORGIVENESS PROVISIONS

In part C of title II are the loan forgiveness provisions relating to teachers in schools serving children from low-income families and the authorization for such forgiveness for service in the Armed Forces. In part these provisions were incorporated to bring to the greatest extent practicable our direct loan programs of title II National Defense Education Act and our insured loan provisions into harmony. Our aim here, as elsewhere, is to remove to the greatest extent possible disparities of treatment accorded individuals by the happenstance of the terms of the enabling authorities.

It is for this reason that in this part we have tried to conform the National Defense Education Act title II language, the medical students assistance language, the Public Health Service Act, and the insured loan program. If enacted, this would enable a student having a loan to obtain forgiveness for the unpaid principal and interest at the rate of 25 percent of the total amount of each complete consecutive year of military service. While the forgiveness feature would apply to loans made prior to the date of enactment of S. 3769, the service qualifying for such forgiveness would only be that served in the Armed Forces, performed as of the date of enactment.

COLLEGE WORK-STUDY

In the work-study programs, changes covered in part D of title II, we have for the first time on the basis of testimony presented enabled students attending proprietary schools to participate with the safeguard that the work performed shall not be for the institutions attended.

In this part we have also redeemed the promise which was made to the Senate last year by continuing the matching provisions at a 90-10 ratio.

COOPERATIVE EDUCATION

In part E of title II we come to a new program which has special relevance for me since I was privileged to participate

in a full day's hearing in Eugene, Oreg., last year where the basis for the language was laid through testimony elicited from a highly competent panel of educators, businessmen, bankers, and corporation executives. That volume of hearings before the subcommittee of May of 1967 has been incorporated by reference into our hearings of this year.

I know that the able Senator from Texas [Mr. YARBOROUGH] was equally impressed by the testimony he graciously took while acting in my place as chairman in our field hearing at Austin, Tex., earlier this spring at which additional testimony in favor of this program was developed.

I am certainly aware, and I wish to acknowledge the debt of gratitude that the subcommittee has to Senators who do not serve on the committee, such as the able Senator from New Mexico [Mr. MONTGOMERY], the distinguished Senator from Indiana [Mr. HARTKE], and the distinguished Senator from California [Mr. KUCHEL], all of whom have expressed to me and to my colleagues their desire that this legislation and the companion equivalent found in the vocational education bill to be considered later in the vocational education field, be enacted. The vocational cooperative education program was recommended to us by my very able colleague on the subcommittee, the junior Senator from California [Mr. MURPHY].

Mr. President, I ask unanimous consent that at this point in my remarks there appear excerpts from the committee report relating to the cooperative education program.

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

COMMITTEE COMMENT ON COOPERATIVE EDUCATION, SECTION 241

Two field hearings, one in April of 1967 at Eugene, Oreg., and the other at Austin, Tex., in March of 1968, laid the foundation for acceptance of bipartisan amendments urged upon it by several Senators to establish a program which would provide for a part of the financing costs to institutions who desired to restructure their operations in such a fashion as to permit their students to have the opportunity of participating in the cooperative work-study program. At the Eugene, Oreg., hearings, it was pointed out:

The establishment of cooperative education programs gives students the opportunity to have educationally valuable experiences in full-time jobs in business, industry, and government and can greatly contribute to improving the educational excellence of programs offered by colleges and universities.

Established 60 years ago, there are now 110 colleges and universities with cooperative education programs. These institutions are arranging for students to alternate campus study with employment in full-time, responsible educative jobs. The college has, in effect, two student bodies. The college can admit and graduate more students without expanding facilities. There are now over 56,000 college and university students in these programs. These students are earning more than \$95 million toward the cost of their higher education this year.

Cooperative education had its beginning at the University of Cincinnati in 1906 and at Northeastern University in 1909. At the present time 109 institutions have adopted this educational plan either for all or a major part of their student body. Much of the expansion of the program has been due to the efforts of the National Commission for Coop-

erative Education and the Ford Foundation which have been instrumental in developing a center for cooperative education at Northeastern University. In the committee proposal, \$500,000 is authorized for fiscal year 1969 for training and research purposes with \$750,000 authorized for each of the succeeding 3 fiscal years. The operational grants would rise from \$8 million for fiscal year 1970 to \$10 million for each of the 2 succeeding fiscal years. The committee has included a limitation that not in excess of \$75,000 might be given to any one participating institution of higher education for any fiscal year. A maintenance of effort provision has been incorporated to assure that the Federal funds would be used for planning, establishment, or expansion of the program. It should be noted that the funds provided will not be used to pay the salaries of the students.

GENERAL PROVISIONS

Mr. MORSE. In part F, general provisions concerning student assistance, there appears in section 251 the provision for a study to be made by a Presidentially appointed commission on the types of governmental assistance for universal educational opportunity at the postsecondary level, which resulted from the meeting of minds of Senators on both sides of the aisle under the leadership of Senators YARBOROUGH, PRUTY, WILLIAMS, and PELL. This study, which has been funded at \$750,000 for an 18-month period, will, I know, be of invaluable assistance to the Senate in the 91st Congress because it will be the basis, I hope, for further advance.

This section also removes barriers contained in legislation administered by the Veterans' Administration which now precludes benefits under educational programs from being made available to veterans who exercise their rights under the cold war GI bill of rights. The amendment was proposed to us by the hard-working chairman of the Public Works Committee, the distinguished senior Senator from West Virginia [Mr. RANDOLPH], who has always been one of our most conscientious Members in looking after the interests of young people.

As Senators are aware, educational assistance programs are awarded either on the basis of need or as in the case of title IV NDEA fellowship program, on the basis of merit. It was our view that if the need exists, the fact that the veteran was receiving certain benefits under the veterans legislation should not preclude the need from being met from other sources.

Similarly, to deny benefits such as title IV which are conditioned upon merit, by reason of the fact that the veteran had exercised his right to veterans benefits would be to place the veteran in a second-class citizenship position.

With regard to the other provisions of this part, in my judgment the committee has dealt with them most adequately, and therefore I ask unanimous consent that at this point in my remarks there appear excerpts from the committee report dealing with section 253 through the end of title II.

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

STUDENT MISCONDUCT

The committee has been dismayed and alarmed by evidence of student unrest on the college campuses of this country which

has been outwardly evidenced by rioting, trespass and forceful interference with the administration of the colleges and with the activities of students who wish to pursue their studies. Such activity is not to be countenanced in a society such as ours. Peaceful picketing and free speech are treasured rights which must be protected but unlawful and violent conduct cannot be condoned.

Under this bill various forms of financial assistance are made available to students at both the undergraduate and the graduate level. The committee earnestly considered a variety of proposals aimed at denying by statute these various forms of student assistance to those who engage in certain proscribed activities. Upon examination, each of the proposals discussed raised more problems than they tended to solve. It became evident that it will be very difficult if not impossible for the Congress to deny student assistance by law in a way which will meet fairly the disciplinary problems on the more than 2,000 college campuses in this country where such student aid is available. The truth of the matter is that colleges are best able to administer student assistance under the variety of Federal programs to those who deserve and need it and to withhold it from those whose conduct proves that they are not worthy of such aid. Federal laws governing the denial of student financial aid raises a tremendous variety of problems involving due process, appeals from convictions, the creation of theoretical rights to assistance which do not now exist, and would in fact interfere with university discipline by creating legal consequences for a variety of actions which might vary from student pranks at a social occasion to vicious willful destruction of property as occurred at Columbia University.

The committee amendment therefore makes it clear that the duty to maintain discipline and the right to withhold student financial aid, where that is appropriate, rests squarely where it belongs—with the institution of higher education where the applicant has sought assistance. In this way the institution will be able to tailor the denial of assistance with the magnitude and seriousness of the behavior in question.

The committee believes that rigid Federal rules denying student assistance for certain behavior specified by Federal law is not the answer—courageous administration by the very few institutions where such activity has taken place or is likely to take place is a much more certain solution.

The committee amendment makes it clear that the Congress condemns such illegal student activity and urges institutions of higher education where such activity takes place to take immediate and prompt action to apply appropriate disciplinary measures whether by withholding financial aid offered through Federal programs, by other measures, or by both.

SECTION BY SECTION

Section 253. Freedom of institutions of higher education to deal with student misconduct

This section provides that nothing in this bill, or any act amended by the bill, shall be construed to prohibit any institution of higher education from refusing to award, continue, or extend any financial assistance under any such act to any individual because of any misconduct which in its judgment bears adversely on the individual's fitness for such assistance.

Section 254. Financial aid to students not to be treated as income or resources under certain programs

This section would provide that for purposes of programs assisted under titles I, IV, X, XIV, XVI, or XIX of the Social Security Act no grant or loan to an undergraduate student which is made or insured

under any program administered by the Commissioner shall be considered income or resources.

Section 255. Development of new means of testing secondary school students for capabilities for postsecondary education

This section would authorize to be appropriated \$150,000 to be used by way of grant to or contract with public or private organizations to develop, within a year after enactment, improved testing and other procedures for (1) determining more accurately the capabilities of students with varying social and economic backgrounds for postsecondary education and (2) for making such determinations initially while the student is in his first or second year of secondary education. Testing procedures so developed are to be disseminated to State and local educational agencies, private schools, higher education institutions, and other institutions and organizations.

Section 256. Adjustment of cost of education allowance

This section would amend section 525 of the Higher Education Act of 1965 and section 404 of the National Defense Education Act of 1958 to provide for payment to institutions of higher education operating fellowship programs, of an amount consistent with prevailing practices under similar federally supported programs. This amendment would eliminate the current statutory dollar limitations in those sections on such payments.

Section 257. Inclusion of proprietary schools in the national defense student loan program

This section would, effectively July 1, 1969, amend section 103(b) of the National Defense Education Act of 1958 to include proprietary schools which otherwise qualify as institutions of higher education in the student loan program provided for under title II of that act. However, the agreement with such an institution covering such a program must include such terms and conditions as the Commissioner determines to be necessary to insure that the availability of such assistance to students in the school would not increase the tuition, fees, or other charges to such students.

TITLE III—AMENDMENTS TO OTHER TITLES OF THE HIGHER EDUCATION ACT OF 1965

Mr. MORSE. In title III of S. 3769, under part A, may be found amendments containing the matching share for community service and continuing education programs. In part B are provisions relating to college libraries, research and training, and in part C strengthening developing institutions.

Part C also contains the language authorizing a new program for the employment of professors emeritus. The merits of this program were developed for us by the senior Senator from Texas [Mr. YARBOROUGH]; and since I know that he will be speaking to the Senate in support of this proposal, I shall defer to him in covering this purpose.

In a similar fashion, since part D is largely concerned with the Teacher Corps provision under the Education Professions Development Act, I know that the able and distinguished junior Senator from Wisconsin [Mr. NELSON] who has just joined our subcommittee, can speak with eloquence. I shall, therefore, content myself at this time requesting unanimous consent that certain portions of the committee report dealing with part D be printed at this point in my remarks.

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

PART D—EDUCATION PROFESSIONS DEVELOPMENT

SECTION 331. POVERTY AREAS

This section would amend section 501; that is, the statement of purpose of the Education Professions Development Act (title V of the Higher Education Act of 1965). Section 501 now provides that the purpose of this title is to improve the quality of teaching and to help meet critical shortages of adequately trained personnel in certain ways. Section 331 of the bill would insert the phrase "particularly in areas having a high concentration of poverty" after "critical shortages."

SECTION 334. ALLOCATION OF FELLOWSHIPS UNDER TITLE V-C OF HIGHER EDUCATION ACT OF 1965

Paragraph (1) of section 523 of the teacher fellowship part (pt. C) of the Education Professions Development Act (title V of the Higher Education Act) now provides that the Commissioner shall allocate fellowships under the program to institutions of higher education with approved graduate programs in such manner as will most nearly provide an equitable distribution of such fellowships throughout the States, except that to the extent that he deems proper in the national interest after consultation with the National Advisory Council on Education Professions Development the Commissioner may give preference to programs designed to meet an urgent national need. Section 334 of the bill would amend this paragraph to provide in the first place that in determining what is an equitable distribution of fellowships the Commissioner take into account such factors as the respective numbers of children aged 3 to 17, the undergraduate student enrollments in institutions of higher education, and the numbers of lower income families, in the States, and would further amend this paragraph by changing the except clause to provide that the basic distribution rule shall not apply to the extent that the Council determines that an urgent need for a certain category of education personnel is not likely to be met without a preference in favor of that category, in which event the Commissioner may give preference to programs designed to meet that need, but that in no case may such preferred programs constitute more than 50 percent of the total number of fellowships awarded in a year.

SECTION 335. TECHNICAL CORRECTIONS

This section would make technical conforming amendments to section 524(a) of the Higher Education Act of 1965, by changing the term "career in elementary or secondary education" to read "career in elementary or secondary education or postsecondary vocational education." This change was inadvertently omitted from Public Law 90-35 which extended the teacher fellowship program to include graduate education for, among other things, vocational education personnel at the postsecondary level.

SECTION 336. AMENDMENT TO TITLE V OF THE HIGHER EDUCATION ACT WITH RESPECT TO TRAINING PERSONNEL IN EDUCATION PROGRAMS OTHER THAN HIGHER EDUCATION

This section would amend section 531(b) of part D of the Higher Education Act, which gives examples of programs or projects from which grants may be made under this part so as to state specifically that the fifth example—i.e., programs or projects to prepare teachers and other educational personnel to meet the special needs of the socially, culturally, and economically disadvantaged—includes training in elementary and secondary schools in areas having a high concentration of poverty.

SECTION 337. EQUITABLE DISTRIBUTION UNDER TITLE V-D OF HIGHER EDUCATION ACT OF 1965

This section of the bill would add to part D of title V of the Higher Education Act a new section 533. Subsection (a) of that section would require the Commissioner, in making grants and contracts for programs or

projects under part D to seek to achieve an equitable geographical distribution of training opportunities throughout the Nation, taking into account such factors as the relative numbers of children aged 3 to 17 and numbers of low-income families in the States.

Subsection (b) of the new subsection 533 would provide that, except in a fiscal year for which appropriations for grants under title V-B of the National Defense Education Act (counseling and guidance training institutes) and title XI of that act (institutes) exceed such appropriations for the fiscal year 1968, the Commissioner shall award grants and contracts under part D of title V of the Higher Education Act only in subject-matter areas that are eligible under such titles V-B and XI of the National Defense Education Act to the extent that the appropriations for such fiscal year for grants and contracts under title V-B part D do not exceed the appropriations pursuant to such title V-B and XI of the National Defense Education Act for the fiscal year 1968.

SECTION 338. MINIMUM ALLOTMENT FOR TITLE V-B, SUBPART 2, OF HIGHER EDUCATION ACT

This section would amend the allotment section (sec. 519 of subpart 2) (attracting and qualifying teachers to meet critical teachers shortages (title V-B of the Higher Education Act)) so that (after the set-aside for outlying territories) each State would be allotted \$100,000 from the appropriation, with only the remainder being allotted according to the formula (relative numbers of children enrolled in elementary and secondary schools of the States) specified in section 519.

Mr. MORSE. These excerpts deal with areas other than the Teacher Corps provisions and are concerned with providing for equitable distribution of programs such as the award of fellowships, and the distribution of training programs.

Part E of title III relates to title VI of the Higher Education Act and is designed to improve the coordination of Federal programs providing assistance in the purchase of laboratory and other special equipment for education.

In proposing the 4-year extension to title VI-A of the Higher Education Act of 1965, it was the committee's intention to clarify the types of equipment which are eligible under section 601(b) by specifying that electronic computers, including so-called "desk-top" computers, do not fall within the scope of this program.

The general provisions sections of part F are designed to further the policy I have previously alluded to, to bring into consonance our various educational programs.

TITLE IV—AMENDMENTS TO THE HIGHER EDUCATION FACILITIES ACT

In title IV we deal with the substantive amendments to the Higher Education Facilities Act of 1963. We seek to make sure that the act is broad enough to take into account the necessity, if enrollment is to be maintained, of replacing obsolescent structures while at the same time maintaining our interest in expanding enrollment capacity.

In this title also is language furnished us by the brilliant ranking minority member of the full committee, the distinguished senior Senator from New York [Mr. JAVITS] who, in pursuance of our common goal, has pursued us of the merits of incorporating in this part of

the bill programs of financial assistance which have demonstrated their worth in the college dormitory construction area.

TITLE V

Title V of S. 3769 covers amendments made to the various titles of the National Defense Education Act, as amended. If enacted, they would make a number of minor changes and would help the committee to achieve the objective of all of us, which is that benefits be equitably distributed throughout the United States.

TITLE VI

Mr. President, I now come to the new education programs which are proposed for Senators' approval. They are incorporated in title VI and constitute in additions to the Higher Education Act of 1965, several new titles.

The first is title VIII, Networks for Knowledge. Interested Senators may find the testimony in the printed hearings helpful in understanding the basis of the recommendations made by the administration.

I would add that I consider that title VIII, Networks for Knowledge, is one of the most important steps forward in education legislation that we are making in this bill. It is a title that has received, to put it mildly, the very enthusiastic support of the educational world of our country. Witness after witness, authority after authority, has testified in favor of this great step forward. In fact, it might be said that their testimony could be characterized as pleading. They tell us that it offers a great advance in the educational programs of our country.

In a similar fashion, the new title IX, Education for Public Service, is based also on testimony found in our printed hearings.

Support for the new title X, Improvement of Graduate Programs, is contained also in our hearings record, as well as that covering title XI, the law school clinical experience programs, with which I am particularly identified. In obtaining testimony for this latter program, we were graciously aided by the presentations of deans of outstanding law schools.

PROPOSED TITLE XII OF HEA

In title XII may be found the language initiating a program of scholarships designed to assure that there is adequate opportunity for young American men and women to prepare themselves for entering into the world of diplomatic, cultural, and commercial exchange. For this title we are indebted to the advice and counsel given us by the distinguished junior Senator from Colorado [Mr. DOMINICK] who has equals but no peer in his diligent application to common endeavor.

I believe I should digress long enough—it will be discussed in greater detail by Senator DOMINICK later and, I am sure, by Senator SPARKMAN—to point out that title XII, to which I have just referred, which proposes scholarships for American young men and women to prepare themselves for entering into the world of diplomatic, cultural, and commercial exchange, will be subject to attack. The attack will be based, I understand, on

jurisdictional grounds, on the floor of the Senate, by the Committee on Foreign Relations. I serve as a member of that committee. The Committee on Foreign Relations believes that title XII invokes the jurisdiction of the Committee on Foreign Relations. I would be less than honest if I did not say that I believe there is a considerable amount of merit in the position that the Committee on Foreign Relations is taking on the subject matter.

Mr. President, I shall place in the RECORD, in fairness to the Committee on Foreign Relations, a memorandum that was prepared by Dr. Carl Marcy, the head of the professional staff of the Committee on Foreign Relations, but prepared by him under assignment by the acting chairman of the committee, Senator SPARKMAN, in which Dr. Marcy sets forth the view of the staff. I have no doubt that it will be the view when formal action is taken by the majority of the committee, but we will hear more about that before the day is over.

In the memorandum, comment is made about a letter that was sent by the acting chairman of the Committee on Foreign Relations, Senator DOMINICK, to the Senate committee and also to the Parliamentarian. This part of the memorandum reads as follows:

It should be noted that on June 27, 1968, the day after Senator Dominick introduced S. 3700 and it was referred to the Labor and Public Welfare Committee, Senator Sparkman, the Acting Chairman of the Committee on Foreign Relations, wrote to Senator Lister Hill, the Chairman of the Labor Committee, and stated that the bill "deals entirely with . . . a subject which is clearly within the jurisdiction of the Committee on Foreign Relations." Senator Sparkman also sent a letter to Dr. Floyd M. Riddick, the Senate Parliamentarian, in which he emphasized the same thing and added: "It seems to me that committee jurisdiction should be determined by the substance of a bill and not necessarily by which Act it amends, otherwise we make mockery of the Legislative Reorganization Act." Senator Sparkman never received an answer to either of these letters.

I have talked this matter over with the Parliamentarian, and he points out that it is not the practice of the Parliamentarian to file letters in response to questions raised, but that he did engage in a long telephone conversation with the appropriate member of the staff of the Committee on Foreign Relations, explaining why the original Dominick bill was referred to the Committee on Labor and Public Welfare. I do know that Senator SPARKMAN's letter was considered by the Committee on Labor and Public Welfare. I was the acting chairman at the time. I presented to the committee Senator SPARKMAN's letter to Senator HILL, and called attention to the fact that there were troubled jurisdictional waters ahead for this part of the bill.

I do not know whether a letter was sent out as a result of that discussion, but I have no doubt that the Committee on Foreign Relations is well aware of the position of the Senate committee.

I ask unanimous consent that the memorandum be printed at this point in the RECORD.

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

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
July 13, 1968.

Memorandum.

To: All Members of the Committee on Foreign Relations.

From: Carl Marcy.

Subject: Committee Jurisdiction.

Title XII of S. 3769, which is the pending business in the Senate, contains the provisions of S. 3700, a 21-page bill introduced by Senator Dominick on June 28, 1968, to provide for a United States Foreign Service Corps. Under its terms, a program would be created to train and educate all Government employees who are or will be working in the field of foreign relations. This program would be under the management and supervision of a Board of Trustees consisting of the Secretary of State, four educators to be appointed by the President, and two Members of the Senate and two of the House of Representatives to be appointed by the Vice President and the Speaker, respectively.

Although the proposal states that the Foreign Service Institute is to be continued, it provides that all functions, powers, and duties of the Secretary of State, relating to the Foreign Service Institute, are to be transferred to the Board. In addition, all property and personnel of the Institute, as well as the unexpended balance of any appropriation, are to be transferred to the Board for its use for the furtherance of the objectives of the Foreign Service Corps. The Board would be supported by a staff of five professional staff members and such clerical staff members as may be necessary.

Title XII also contains elaborate provisions relating to the nomination and admission of students and Government employees into the Foreign Service Corps, the payment of their compensation and expenses, and rules governing their assignment and period of service upon completion of their training or education. Section 1215 of S. 3769 provides that the following amounts are authorized to be appropriated to the Board of Trustees to carry out the purposes of the Title XII: \$15 million for fiscal year ending June 30, 1970 and \$30 million for the fiscal year ending June 31, 1971.

It should be noted that on June 27, 1968, the day after Senator Dominick introduced S. 3700 and it was referred to the Labor and Public Welfare Committee, Senator Sparkman, the Acting Chairman of the Committee on Foreign Relations, wrote to Senator Lister Hill, the Chairman of the Labor Committee, and stated that the bill "deals entirely with . . . a subject which is clearly within the jurisdiction of the Committee on Foreign Relations." Senator Sparkman also sent a letter to Dr. Floyd M. Riddick, the Senate Parliamentarian, in which he emphasized the same thing and added: "It seems to me that committee jurisdiction should be determined by the substance of a bill and not necessarily by which Act it amends, otherwise we make mockery of the Legislative Reorganization Act." Senator Sparkman never received an answer to either of these letters.

On July 11, 1968, in executive session, and without a public hearing or comments from the Department of State, the Committee on Labor and Public Welfare incorporated the provisions of S. 3700 into the S. 3769, the omnibus higher education bill (see Title XII).

In this connection, the following bills on related subjects have been referred to the Committee on Foreign Relations:

1. S. 199, introduced by Senator Mundt on January 11, 1967 (for himself, Mr. Case, Mr. Dodd, Mr. Dominick, Mr. Fong, Mr. Hickenlooper, Mr. Lausche, Mr. Miller, Mr. Prouty, Mr. Proxmire, Mr. Scott, and Mr. Hansen), to create the Freedom Commission and the

Freedom Academy, to conduct research to develop an integrated body of operational knowledge in the political, psychological, economic, technological, and organizational areas to increase the non-military capabilities of the United States and other nations in the global struggle between freedom and communism, to educate and train Government personnel and private citizens to understand and implement this body of knowledge, and also to provide education and training for foreign students in these areas of knowledge under appropriate conditions.

2. S. 3708, introduced by Senator Hartke on June 28, 1968 (for himself and Senator Pell), to provide for the establishment of an International Peace Institute.

3. S. 3749, introduced by Senator Yarbrough on July 9, 1968, to provide for the establishment of a United States Foreign Service Academy.

Mr. MORSE. Now let me say, preliminary to debate in regard to the matter, that we have brought this matter to the floor of the Senate because of its emphasis on providing scholarships. It is the scholarship aspect that I desire to stress, Mr. President. As chairman of this subcommittee and as manager of the bill, let me make very clear that I am not married to the language as proposed as title XII of the Higher Education Act of 1965. It is not our intention to set up a Foreign Service Corps. It may very well be that drastic modifications of title XII are in order and that it be limited by the use of language that leaves no room for doubt that the program seeks to be limited to scholarships for young men and women who want to enter both undergraduate study and we are talking about young men and women who want to enter graduate study, in preparation for foreign service. It is not limited to diplomatic service. It is important that we train people for foreign commercial service. This is the kind of program that is sorely needed.

I speak respectfully, as I always do, of the State Department—but usually in complete disagreement with them on most matters—and here again on this matter I am satisfied if we wait for the State Department to do anything in this field, we will wait in perpetuity, judging from their past practice, because I think the State Department has failed miserably in coming forward with a program to provide the young people of this country with the type training we seek to accomplish by title XII.

But as a member of the Committee on Foreign Relations may I serve notice on the floor of the Senate that I do not propose to invade any of its legitimate jurisdictions. We will give later the reasons why the Parliamentarian referred the Dominick bill to the Committee on Labor and Public Welfare. My personal view is that here is one matter being referred to the Committee on Labor and Public Welfare where it would have been most appropriate to have it also considered by the Committee on Foreign Relations where hearings would be held, as well. Also, I would be less than honest if I did not say we have not had adequate hearings on the original Dominick bill in the Committee on Labor and Public Welfare.

I do not know how I can be more clear or more fair in expressing my attitude with regard to title XII. I hope we can

salvage something from title XII by way of a scholarship program. If we could get some scholarship program written into this bill, I would be perfectly willing, as far as I am concerned, and I speak only for myself, to have the whole concept of a Foreign Service Corps withheld until a later date for hearings before whatever committee or committees the Senate finally decides should have hearings.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JAVITS. Mr. President, I believe Members will want to have clear in the RECORD the relationship of section 1204, which proposes that the education of the qualified members of the Corps be carried on in institutions of higher education, and that section of the bill we brought in which deals with the Foreign Service Institute. We do not institutionalize the Foreign Service Corps as we do the Air Force, the Army, or the Navy.

I think the Senator might usefully, either now or when it is convenient, make clear the relationship, so that Members are not under the impression we are establishing an institutionalized corps with its own educational facility.

Mr. MORSE. I am glad the Senator helped me by making that point. He is completely right. That was not the intention of title XII. Furthermore, this was not limited to service to the State Department, Agriculture, Labor, or Commerce; but relates to every department of our Government that has need for personnel to meet international relations problems. In addition to training people for various types of foreign service for Government the program would assist the business community of this land. We need some scholarships to make available to young men and women who want to make a career out of various types of foreign service. I do not think we can further delay making a start.

It may very well be that the framework of the Dominick bill, which we incorporated as an amendment to our Higher Education Act, needs to be revised. I will leave the responsibility of carrying the burden of the debate on the bill itself to the Senator from Colorado. His office has already been notified by the manager of the bill that it will be necessary for him to discuss the matter and I think he will be available to discuss it, shortly after 1 o'clock.

We have many things to do before then. In the meantime, I thought I owed it to the committee and Members of the Senate to make the explanation because I have already had six inquiries about title XII from six Senators who said they did not think the proposed title XII of the Higher Education Act of 1965 should be in the bill. I said, "Will you wait until we have an explanation in the debate on the purpose of title XII." It may be that it needs to be revised but I hope we can get something in the bill and go ahead on the scholarship program in this bill, which in my judgment has been so sorely neglected in the past.

Mr. President, rather than unduly prolong my presentation on each of these new titles, at this point I ask unanimous consent that there appear the section-by-section analysis of each of the new pro-

grams to which I have alluded which sets forth succinctly the terms and conditions under which the financial aids are provided under each instance, and in so doing I wish to formally express the thanks of the subcommittee to the General Counsel's office of the Department of Health, Education, and Welfare, whose able associate Counsel, Mr. Theodore Ellenbogen, prepared these analyses for our use.

There being no objection, the section-by-section analysis ordered to be printed in the RECORD, as follows:

TITLE VI—NEW EDUCATIONAL PROGRAMS

Section 601. Additions to the Higher Education Act of 1965

This section of the bill would amend the Higher Education Act of 1965 by redesignating title VIII as title XIII, by making appropriate changes in section numbering, and by inserting after title VII the following new titles:

TITLE VII—NETWORKS FOR KNOWLEDGE

Section 801 of the new title would authorize a program of project grants to stimulate colleges and universities to share their technical and other educational and administrative facilities and resources through cooperative arrangements while maintaining their institutional identities, and to test and demonstrate the effectiveness of a variety of such arrangements, preferably on a multi-institutional basis. Such grants might be made directly to the colleges or universities involved or, when deemed more effective, to other established public or nonprofit private agencies or organizations. Assistance under this title would be authorized for planning, developing, or carrying out, among others, such cooperative arrangements to—

- (1) collect and share modern curricular materials and promising curricular developments;
- (2) develop effective systems for processing and maintaining financial and student records;
- (3) share classroom, library, or laboratory facilities and the necessary books, materials, and equipment, or afford access to specialized library collections through preparation of interinstitutional catalogs and through development of systems and preparation of suitable media for electronic or other rapid transmission of materials;
- (4) establish and jointly operate closed-circuit television facilities;
- (5) establish and jointly operate electronic computer networks for such purposes as financial and student records, student course work, or transmission of library materials; and
- (6) exchange faculty on a part- or full-time basis or otherwise arrange for strengthening the academic programs of participating institutions;

In the case of projects for sharing library facilities through electronic transmission of data, grants could not be used to pay for electronic transmission terminals. In the case of projects involving computer networks, grants could not be used to pay for the cost of operating the terminals or central computer facilities, except (1) such costs of systems development and programming of computers and transmission costs as are necessary to make the network operational, (2) the administrative and program support costs of the central computer facilities, and (3) the line-access costs of participating institutions.

Section 802 of the new title would authorize the appropriation of \$4 million for the fiscal year ending June 30, 1970, and \$15 million for the next 2 fiscal years.

Section 803 of the new title VIII would provide that nothing in the Communications Act of 1934 or in any other provision of law shall be construed to prevent U.S.

communications common carriers from rendering, subject to rules and regulations of the FCC, free or reduced rate communications interconnection services for interconnection systems within the purview of this title whether or not covered by a grant under this title.

TITLE IX—EDUCATION FOR THE PUBLIC SERVICE

Section 901 of the new title IX would declare the purpose of the title to be the establishment of a program of grants and fellowships to improve the education of students attending institutions of higher education in preparation for entrance into the service of State or local governments, and the attraction of such students to the public service. The newest title IX would be comprised of three parts.

Part A—Grants and contracts to strengthen and improve education for the public service

Section 911. Project grants and contracts

This section would authorize the Commissioner to make grants to or contracts with institutions of higher education to assist them in planning, developing, strengthening, improving, or carrying out programs or projects to prepare graduate or professional students to enter the public service, or for research into, or development or demonstration of, improved methods of education for public service.

The section offers seven examples illustrative of programs or projects that would qualify thereunder. These examples cover planning for graduate or professional programs to prepare students to enter the public service, training of faculty, strengthening the public service aspects of graduate or professional education, the conduct of public service teacher institutes (short-term or regular session) for advanced study, and research into, and development of, teaching methods.

The Commissioner would also be authorized to make grants to other public or private nonprofit agencies and organizations, or contracts with public or private agencies or organizations, to carry out the purposes of section 911, when such grants or contracts would make an especially significant contribution to attaining the sections objectives.

Section 912. Application for grant or contract; allocation of grants or contracts

This section would provide that grants or contracts under part A of the new title IX could be made only upon application to the Commissioner that sets forth an authorized purpose for which such grant or contract may be made and relates such purpose to the program described in any application of such applicant submitted pursuant to part B of the new title IX (Public Service Fellowships). The application would also be required to provide for appropriate fiscal procedures, recordkeeping, reports, etc.

Grants or contracts would be allocated on an equitable basis throughout the United States among institutions of higher education that show promise of being able to use funds effectively for the purposes of part A.

Subsection (c) of this section would authorize the use of payments for part of the compensation of students employed in non-Federal public service as part of a program approved for assistance under this section, and would also encourage agencies of the Federal Government to enter into arrangements with institutions of higher education for the employment of students enrolled in approved programs.

Part B—Public service fellowships

Section 931. Award of public service fellowships

This section would authorize the Commissioner to award graduate or professional fellowships, not to exceed 3 academic years, to persons who plan to pursue careers in public service.

Section 932. Allocation of fellowships

This section would direct the Commissioner to allocate fellowships under title IX among institutions of higher education with programs approved under the provisions of part B, for the use of persons accepted into such programs, so as most nearly (1) to provide an equitable distribution of such fellowships throughout the United States; and (2) to attract recent college graduates to pursue public service careers.

Section 933. Approval of programs

This section would direct the Commissioner to approve a program under part B upon application by the institution and his findings that the program is significantly aimed at educating persons for the public service, or in a field for whose practitioners there is a significant and continuing need in the public service; that the program is or may be expected to be of high quality; that the application describes the relationship of the program to the program described in any application of such institution submitted pursuant to part A of title IX; and that the application contains satisfactory assurance that the institution will recommend fellowship awards only for persons of superior promise who have demonstrated a serious intent to enter the public service, and will make reasonable continuing efforts to encourage fellowship recipients to enter the public service upon completing an approved program.

Section 934. Stipends

This section would provide for fellowship stipends (including subsistence allowances for dependents), and institutional payments, required to be set in amounts consistent with prevailing practices under comparable federally supported programs.

Section 935. Fellowship conditions

This section would condition the continuation of fellowship payments upon the student's maintenance of satisfactory proficiency in full-time study or research in the field for which the fellowship was awarded. Outside gainful employment would be permitted only as approved by or pursuant to regulation.

Part C—General provisions

Section 951. Definitions

Paragraph (a) would define "public service" as service as an officer or employee in any branch of State or local government.

Paragraph (b) would define an "academic year" as an academic year or its equivalent, as determined by the Commissioner.

Section 952. Coordination of Federal assistance

The section would require the Commissioner in administering title IX to give primary emphasis to the assistance of programs and activities not otherwise assisted by the Federal Government.

Section 953. Method of payment

This section would authorize payments under title IX to be made in installments, and in advance or by way of reimbursements, with necessary adjustments on account of overpayments or underpayments.

Section 954. Limitation

This section would prohibit title IX grants, contracts, or fellowships awarded to, or for study at, a school or department of divinity, which term is defined as in the Higher Education Facilities Act of 1963 and the Higher Education Act of 1965.

Section 955. Utilization of other agencies

This section would authorize the Commissioner in administering title IX, to utilize the services of any agency of the Federal Government and of any other public or nonprofit agency or institution, or a reimbursable basis or otherwise in accordance with agreements between the Commissioner and the head thereof.

Section 956. Authority to establish an advisory committee

The Commissioner would be authorized, without regard to the civil service and classification laws, to appoint a committee to advise him on matters of general policy arising in the administration of title IX.

Section 957. Appropriations

Appropriations to carry out the purposes of title IX would be authorized in the amount of \$5 million for fiscal 1970 (to be available for obligation for 2 years), and \$13 million for the next 2 fiscal years.

TITLE X—IMPROVEMENT OF GRADUATE PROGRAMS

Section 1001 of the new title X states that it would be the purpose of the title to strengthen and improve the quality of graduate programs leading to a doctoral or professional (other than medical) degree, and to increase the number of such quality programs.

Section 1002 of the new title X would provide that there be authorized to be appropriated \$5 million for the fiscal year ending June 30, 1970, and \$10 million for each of the 2 succeeding fiscal years, for grants by the Commissioner to institutions of higher education having programs leading to the Ph. D. or comparable professional or other degree to pay part of the cost of carryout projects or activities designed to achieve one or more of the purposes set forth in section 1001. Subsection (a) of this section lists examples of the type of project or activity that could be carried out under the new title.

Subsection (b) of the new section 1002 provides that payments under this title may not exceed 90 percent of the total cost of the project or activity; nor may they exceed 50 percent of the cost of the purchase or rental of books or equipment or other materials (after taking into account sums received as Federal financial assistance under other programs); nor be used for sectarian instruction or religious worship or in connection with any part of the program of a school of divinity, which term is defined as in the other titles of the Higher Education Act of 1965.

Section 1003 of the new title X would require the Commissioner, insofar as practicable and consistent with the other purposes of the title, to give weight to the objective of having an adequate number of graduate and professional schools of good quality within each appropriate region.

Section 1004 of the new title X would require the Commissioner to consult with the National Science Foundation, the National Foundation on the Arts and the Humanities, and the Federal Judicial Center for the purpose of promoting the coordination of Federal programs bearing on the purposes of this title.

TITLE XI—LAW SCHOOL CLINICAL EXPERIENCE PROGRAMS

Section 1101. Program authorization

The Commissioner would be authorized to enter into contracts with law schools accredited by a nationally recognized accrediting agency or association approved by the Commissioner to pay not to exceed 90 percent of the cost (but not more than \$75,000 in any fiscal year to any one law school) of programs to provide their students with clinical experience in the practice of law, and preferably with experience in the preparation and trial of cases. Federal assistance to establish or expand such programs might cover necessary expenditures for planning, equipment, training of faculty members, salary for additional faculty members, travel and per diem for faculty and students, reasonable stipends to students for public service rendered outside the academic year as part of such a training program, and any other items allowed pursuant to regulations issued by the Commissioner.

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Section 1102. Applications

A contract authorized under this title would be entered into by the Commissioner upon application which would contain such information as he prescribed, provide for necessary fiscal control and fund accounting procedures over any Federal funds paid the applicant under this section, and provide for making such reports and keeping such records as the Commissioner might require. The Commissioner would make an equitable geographic distribution of such contracts among law schools which show promise of being able to make effective use of the funds to be provided under this title.

Section 1103. Authorization of appropriations

To carry out the purposes of this title, \$7,500,000 would be authorized to be appropriated for the fiscal year 1970 and for each of the three succeeding fiscal years.

TITLE XII—UNITED STATES FOREIGN SERVICE CORPS

Section 1201. Establishment of Corps

To provide more widespread opportunity for entering, and more adequate training of persons entering or already engaged in, the field of foreign relations, a U.S. Foreign Service Corps would be established, consisting of students and Government employees selected for admission under the provisions of this title, and enrolled in a program of education, training, or research, or a course of study approved by the Board of Trustees established hereunder.

Section 1202. Definitions

"Government", "non-Federal institution of higher education" (institution not owned or substantially controlled by the Government of the United States), "Board" (Board of Trustees of the U.S. Foreign Service Corps), "department or agency" (including Government corporation), "training month," and "dependent" would be defined.

Section 1203. Board of trustees

A Board of Trustees (consisting of the Secretary of State, four educators appointed by the President, two Senators, not of the same political party, appointed by the Vice President, and two Representatives, not of the same political party, appointed by the Speaker of the House) would be charged with management and supervision of the Corps, and development and support of programs of education, training, and research, designed to prepare, or advance the qualifications of, members of the Corps for service with the United States in positions or programs related to foreign relations. Members of the Board would serve without pay, but with reimbursement for travel, subsistence, and other necessary expenses, for terms of 2 years (Senate, House, and first two educator appointees of the President) or 4 years (all other educator appointees of the President, of which two would be appointed every 2 years), and might be reappointed.

Section 1204. Establishment of corps programs

The Board would be authorized to make arrangements with qualified non-Federal institutions of higher education to admit qualified members of the Corps of courses of study or activities approved by the Board, including—

(1) in any academic year, not more than 4,300 undergraduate and not more than 700 graduate student members, for full-time courses of study leading to, respectively, undergraduate or graduate degrees in foreign relations;

(2) Government employee members for professional education, training, and research activities or for full-time courses of study leading to an undergraduate or graduate degree in foreign relations;

(3) selected members of the Corps for research activities in the field of foreign relations.

Such arrangements would be required to provide language training and orientation for a member of the family of a person admitted to the Corps, if such family member would have responsibilities in the field of foreign relations on account of, or in the event of, assignment of the Corps member of such family to a foreign country.

Section 1205. Nomination and admission of students into Corps

The total of 4,300 undergraduate and 700 graduate student members of the Corps authorized for admission in any year would be selected in order of merit by annual competitive undergraduate and graduate examinations held by the Board, to test the intellectual capacity, training, and aptitude for foreign affairs of 8,418 persons eligible to take the examination and nominated in accordance with provisions of this section. (After 3 years, if it appeared in any year that this procedure would not qualify for admission into the Corps the number of student members who might be admitted, an additional competitive examination would be given to nominees of the Board.)

Applicants for the annual undergraduate examination would be required to be citizens of the United States who had graduated from, or were attending, a public secondary school in, or a private secondary accredited by, a State or a secondary school in a foreign country with an educational program approved by the Board. Applicants for the annual graduate examination would be required to be citizens of the United States who had graduated from, or were attending, an institution of higher education in the United States or an institution of higher education in a foreign country which awards a degree which is generally accepted as equivalent to a bachelor's degree in the United States. (Before admission into the Corps, a student member would need to have graduated from such secondary school or institution of higher learning, as the case might be.)

The annual competitive examination could be taken only by applicants nominated as follows:

(1) 220 nominated from the United States at large (100 by the President, 66 by the Vice President, 54 by the Secretary of State);

(2) 1,650 nominated from the 50 States (15 by each Senator, three by each Governor);

(3) 6,525 nominated from the 435 congressional districts (15 by the Representative from each district);

(4) 10 from the District of Columbia, nominated by the Commissioner of the District of Columbia;

(5) 13 from outlying areas (seven nominated by the Resident Commissioner from Puerto Rico, three by the Governor of the Virgin Islands, three by the Governor of the Canal Zone).

Total, 8,418.

Except with respect to nominees at large, and from the Canal Zone, nominations could be made only from among persons domiciled in the State, congressional district, or geographic area from which nominated.

Section 1206. Compensation and payment of expenses and subsistence for student members

Student members of the Corps admitted under section 1205 and maintaining satisfactory progress in courses of study prescribed by the Board would be compensated for tuition, texts, laboratory fees, and associated course materials and would be eligible to receive subsistence payments in accordance with procedures established by the Board. Subsistence payments per training month would be \$130 for a single student or a student legally separated, \$175 for a married student with a dependent spouse, and \$250 for husband and wife student members who are living together. An additional \$15

per training month would be paid for each dependent child of a student member, or for a dependent other than his spouse or child.

Section 1207. Admission of Government officers and employees into Corps; expenses and compensation

The head of each Government department or agency would be authorized to select from among its employees volunteering for admission into the Corps to pursue education, training, or research within the Corps program, to prescribe limitations on the number of employees selected at the same time, and the length of their course of study. From appropriations made available for the payment of salaries and expenses of employees of such department or agency, employees so selected would be authorized to be paid their regular salaries, and (without regard to 31 U.S.C. 529) to be reimbursed for necessary expenses of such education, training, or research (including travel expense of such employee, transportation expense of his immediate family, cost of transporting or storing his household goods and personal effects to the extent authorized by U.S.C. 5724, purchase or rental of books, materials, and supplies, and other services or facilities related to his education, training, or research). A Government employee's period of education, training, or research within a Corps program would be deemed to be Government service for purposes of civil service retirement, Federal employees' group life and health insurance, and at the completion thereof, the employee would have reemployment rights to a position of at least like seniority and status in the department or agency from which he was selected, with restoration of sick leave credit, and at the rate of pay to which he would have been entitled if he had continued his usual service in such department or agency.

Section 1208. Agreement to enter into or continue Government service after completing Corps program

Each person admitted to the Corps (other than a family member receiving language or orientation training under sec. 1204) would make such agreement as the Board deemed necessary to insure that, after completion of his education, training, or research within a Corps program, such person would accept Federal employment, unless already so employed, and remain in Federal employment, wherever assigned by the employing department or agency and for such period as would be prescribed by the Board, in the case of students admitted under section 1205, or by the head of the employing department or agency in the case of Government employees admitted under section 1207.

Section 1209. Assignment of student members for field training and Government service

The Board might assign any student member of the Corps admitted under section 1205 for field training with any Government program relating to foreign relations for not more than 2 consecutive months in any of the first 3 calendar years of his undergraduate study, and for not more than 6 consecutive months during the fourth year of undergraduate study or any academic year of graduate study. Except as otherwise provided by law or by regulation of the Board, a student member who received an undergraduate or graduate degree under the Corps program would be available for assignment by the Board (in consultation with interested departments and agencies of Government and, to the extent practicable, in accordance with the student's preferences) (1) to be hired by any department or agency of Government for a program relating to the field of foreign relations, or (2) in the case of a student member who received a graduate degree under the Corps program, for 1 year of specialized study in a foreign country or area in which he might later be assigned for Government service after satisfactory completion

of such specialized study; thereafter he would be appointed a Foreign Service officer by the Secretary of State, without the examination provided in 22 U.S.C. 911-912.

Section 1210. Minimum period of compulsory service in the United States

Except in time of war declared by Congress, Corps members who satisfactorily completed education, training, or research, or course of study within a Corps program, and who were employed by the United States in the field of foreign relations, would be assigned Government duties within the United States for at least 1 of every 5 years of such employment.

Section 1211. Continuation of Foreign Service Institute

All functions, powers, and duties of the Secretary of State relating to the Foreign Service Institute established under 22 U.S.C. 1041-1047 would be transferred to the Board. All property and personnel of the Foreign Service Institute and the unexpended balance of any appropriation therefor would be transferred to the Board for use in furtherance of the objectives of the Corps.

Section 1212. Staff of Board

The Board would be authorized to make appointments in the competitive civil service and to fix the compensation, in accordance with civil service classification and General Schedule pay rates, of not more than five professional staff members (including a chief staff officer of the Board) and such clerical staff members as might be necessary.

The Board would be authorized to procure temporary or intermittent services pursuant to 5 U.S.C. 3109, at rates not to exceed \$100 per day for individuals.

Section 1213. Acquisition of real or personal property by Board

The Board would have the power to acquire, hold, use, sell, or otherwise dispose of property, real or personal, and to accept gifts or bequests, to carry out the purposes of this title.

Section 1214. Prohibition against establishment of academy

The Board would have no authority to establish any educational institution, nor to appoint any person to serve on the faculty or staff of any educational institution except the Foreign Service Institute.

Section 1215. Authorization

To carry out the purposes of this title (except section 1207), appropriations to the Board would be authorized in the amount of \$15 million in 1969, \$30 million in fiscal 1970, \$45 million in fiscal 1971, \$60 million in fiscal 1972, and in fiscal 1973 and each succeeding fiscal year, such sums as Congress might authorize.

TITLE VII

Mr. MORSE. Mr. President, the concluding title of the bill contains miscellaneous provisions which brings the College of Guam within the purview of the second Morrill Act. As I have earlier indicated, this parallels the action taken by the Congress earlier this session with respect to Federal City College here in the District of Columbia.

I ask unanimous consent that excerpts from the committee report dealing with this area be printed at this point in my remarks.

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

TITLE VII—MISCELLANEOUS PROVISIONS

Section 701. College of Guam

This section provides that the College of Guam (chapter 10 of the Government Code of Guam) shall, within the meaning of the

first Morrill Act (7 U.S.C. 301-305, 307, 308), be deemed a land-grant college, and Guam shall be deemed a "State," in the administration of the Second Morrill Act (7 U.S.C. 321-326, 328), as modified by the Nelson amendment,¹ and for purposes of section 22 of the Bankhead-Jones Act (7 U.S.C. 329),² as well as the so-called Retirement Act (7 U.S.C. 331). The appropriation ceilings for formula allotment under section 22 of the Bankhead-Jones Act would be correspondingly increased so as to avoid a reduction in grants to the States and Puerto Rico as a result of the extension of section 22 to Guam.

Finally, this section authorizes to be appropriated to the territory of Guam the sum of \$890,995 in lieu of extending to the territory those provisions of the First Morrill Act (7 U.S.C. 301-305, 307, 308) relating to donations of public lands or land scrip for the endowment and maintenance of land-grant colleges. Amounts so appropriated to the territory would be subject to those provisions of the First Morrill Act that apply to proceeds from the sale of land or land scrip. The amount of \$889,995 bears the same ratio to \$6,000,000, which was the lump-sum payment to Hawaii for like purposes in lieu of a land grant under the First Morrill Act, as the population of Guam bears to that of Hawaii.

This section is patterned after the comparable provisions of Public Law 90-354, approved on June 20, 1968, which designated the Federal City College of the District of Columbia as a land-grant college and likewise provided for a lump-sum payment to the District of Columbia in lieu of a land grant. However, unlike Public Law 90-354, the present bill does not provide that enactment of the bill shall be deemed to satisfy any requirement of State consent contained in the laws or provisions of law referred to in the bill, in view of the fact that Guam has a legislature (48 U.S.C. 1423 et seq.) which is competent in the matter.

These amendments would take effect with respect to appropriations beginning with the fiscal year 1970.

Section 702. Program consolidation

Subsection (a) of this section provides that the programs authorized by sections 303(a) (5) and 1009 of the National Defense Education Act of 1958 shall not be consolidated with the one authorized by title V of the Elementary and Secondary Education Act of 1965. This section of the bill further provides that so much of the appropriations for any fiscal year appropriated under title V of the latter act, which equals the maximum amount authorized to be appropriated under the above-cited provisions of the National Defense Education Act for that fiscal year, shall be deemed to have been appropriated pursuant to the second sentence of section 301 of the National Defense Education Act and pursuant to section 1009 of that act, except that this provision shall not apply during a fiscal year in which appropriations pursuant to the second sentence of section 301 and section 1009(a) of the National Defense Education Act are equal to the maximum amount authorized by those sections.

This section is to be effective July 1, 1968, and the bill provides "that it shall remain effective until expressly and specifically amended by law."

¹ This act contains a permanent annual appropriation of \$50,000 to each State and territory for the more complete endowment and maintenance of land-grant colleges.

² That act now authorizes an annual appropriation of \$7,800,000 to be distributed to the States, Puerto Rico, and the District of Columbia on an equal basis, and an annual amount of \$4,300,000 to be allotted to these jurisdictions on a population basis. In order to accommodate the addition of Guam, this bill would increase these appropriation ceilings to \$7,950,000 and \$4,322,250, respectively.

Section 703. Planning authorization

This section would authorize to be appropriated to the Commissioner of Education, for the fiscal year 1969, \$1,070,000 for carrying out planning and other activities relating to new programs that are authorized to be carried out by him beginning with the fiscal year 1970.

CONCLUSION

Mr. MORSE. Mr. President, in concluding my opening statement, I can only once again indicate to Senators that in my judgment the committee has brought before this body legislation which has been earnestly considered and which represents a consensus deserving Senate support.

I ask unanimous consent that there may be included as part of the statement, as an appendix, statistical charts, and tables, relating to the various provisions of the bill.

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

TABLE III.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED HIGHER EDUCATION AMENDMENTS OF 1968, TITLE I, EXTENSION OF EDUCATION PROGRAMS, FISCAL YEARS 1970-72.¹ PT. A—PUBLIC LAW 89-329, TITLE I, COMMUNITY SERVICE AND CONTINUING EDUCATION PROGRAMS

	Fiscal year 1970	Fiscal years 1971 and 1972
United States and out- lying areas.....	\$50,000,000	\$60,000,000
50 States and District of Columbia.....	49,263,769	59,121,754
Alabama.....	891,372	1,068,017
Alaska.....	159,730	173,063
Arizona.....	461,313	541,963
Arkansas.....	540,878	639,288
California.....	4,337,929	5,283,896
Colorado.....	540,653	639,013
Connecticut.....	748,695	893,493
Delaware.....	215,629	241,439
Florida.....	1,428,269	1,724,758
Georgia.....	1,101,893	1,325,530
Hawaii.....	263,864	300,441
Idaho.....	257,102	292,170
Illinois.....	2,531,141	3,073,807
Indiana.....	1,215,945	1,465,039
Iowa.....	722,098	860,959
Kansas.....	612,780	727,240
Kentucky.....	816,990	977,033
Louisiana.....	915,264	1,097,242
Maine.....	320,439	369,644
Maryland.....	913,911	1,095,588
Massachusetts.....	1,317,824	1,589,660
Michigan.....	2,008,269	2,434,711
Minnesota.....	905,121	1,084,835
Mississippi.....	626,755	744,334
Missouri.....	1,128,716	1,358,340
Montana.....	258,229	293,548
Nebraska.....	424,347	495,746
Nevada.....	197,146	218,831
New Hampshire.....	252,369	286,380
New Jersey.....	1,655,019	2,002,122
New Mexico.....	325,849	376,261
New York.....	4,203,367	5,119,298
North Carolina.....	1,221,129	1,471,381
North Dakota.....	244,931	277,281
Ohio.....	2,436,023	2,957,457
Oklahoma.....	658,310	782,933
Oregon.....	544,710	643,975
Pennsylvania.....	2,714,840	3,298,510
Rhode Island.....	302,407	347,587
South Carolina.....	683,555	813,813
South Dakota.....	253,045	287,207
Tennessee.....	971,388	1,165,894
Texas.....	2,522,350	3,063,053
Utah.....	326,976	377,640
Vermont.....	152,638	173,317
Virginia.....	1,106,401	1,331,044
Washington.....	785,209	938,158
West Virginia.....	507,745	598,759
Wisconsin.....	1,039,233	1,248,883
Wyoming.....	171,902	187,951
District of Columbia.....	281,671	322,222
American Samoa.....	31,086	32,444
Canal Zone.....	00	00
Guam.....	42,852	46,836
Puerto Rico.....	626,136	760,318
Virgin Islands.....	36,157	38,648

¹ Distributions made with a basic amount of \$100,000 to the 50 States and the District of Columbia; \$25,000 to American Samoa, Guam, Puerto Rico, and the Virgin Islands. The balance distributed on basis of total population, July 1, 1966.

TABLE IV.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED HIGHER EDUCATION AMENDMENTS OF 1968, TITLE I, EXTENSION OF EDUCATION PROGRAMS, FISCAL YEARS 1970-72

PT. A—PUBLIC LAW 89-329, TITLE IV-C, COLLEGE WORK-STUDY PROGRAMS

	Fiscal year 1970	Fiscal years 1971 and 1972
United States and out- lying areas.....	\$255,000,000	\$285,000,000
50 States and District of Columbia.....	249,900,000	279,300,000
Alabama.....	6,244,577	6,979,233
Alaska.....	216,853	242,366
Arizona.....	2,347,809	2,624,021
Arkansas.....	3,751,525	4,192,881
California.....	20,810,215	23,258,476
Colorado.....	2,810,992	3,141,697
Connecticut.....	2,638,602	2,949,025
Delaware.....	514,884	575,459
Florida.....	6,853,962	7,660,310
Georgia.....	6,969,808	7,789,808
Hawaii.....	843,552	942,794
Idaho.....	963,478	1,076,828
Illinois.....	11,079,234	12,382,675
Indiana.....	5,875,154	6,566,349
Iowa.....	4,250,552	4,750,617
Kansas.....	3,225,773	3,605,275
Kentucky.....	5,485,600	6,130,965
Louisiana.....	6,256,536	6,992,599
Maine.....	1,232,525	1,377,527
Maryland.....	3,797,597	4,244,373
Massachusetts.....	6,539,131	7,308,440
Michigan.....	9,807,084	10,960,859
Minnesota.....	5,144,922	5,750,207
Mississippi.....	5,280,421	5,901,647
Missouri.....	6,181,314	6,908,527
Montana.....	988,681	1,104,997
Nebraska.....	2,168,686	2,423,826
Nevada.....	319,770	357,390
New Hampshire.....	802,144	896,514
New Jersey.....	5,418,100	6,055,523
New Mexico.....	1,610,131	1,799,558
New York.....	17,088,568	19,098,988
North Carolina.....	8,923,251	9,973,045
North Dakota.....	1,159,291	1,295,679
Ohio.....	11,329,715	12,662,622
Oklahoma.....	3,968,221	4,435,070
Oregon.....	2,543,784	2,843,052
Pennsylvania.....	13,077,862	14,616,434
Rhode Island.....	1,108,735	1,239,174
South Carolina.....	4,840,576	5,410,056
South Dakota.....	1,265,284	1,414,141
Tennessee.....	6,585,425	7,350,181
Texas.....	15,168,636	16,953,181
Utah.....	1,791,145	2,001,867
Vermont.....	625,381	698,955
Virginia.....	5,911,980	6,607,507
Washington.....	3,933,828	4,396,631
West Virginia.....	3,210,049	3,587,701
Wisconsin.....	5,246,773	5,864,041
Wyoming.....	452,049	505,232
District of Columbia.....	1,239,815	1,385,676
Outlying areas.....	5,100,000	5,700,000

TABLE V.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED HIGHER EDUCATION AMENDMENTS OF 1968, TITLE I, EXTENSION OF EDUCATION PROGRAMS, FISCAL YEARS 1970-72.¹

PT. A—PUBLIC LAW 89-329, TITLE IV-A, EDUCATIONAL OPPORTUNITY GRANTS (INITIAL YEAR AWARDS)

	Fiscal year 1970	Fiscal years 1971 and 1972
United States and out- lying areas.....	\$100,000,000	\$140,000,000
50 States and District of Columbia.....	99,320,751	139,049,052
Alabama.....	1,416,901	1,983,662
Alaska.....	42,680	59,751
Arizona.....	1,124,991	1,574,987
Arkansas.....	947,769	1,326,877
California.....	10,032,039	14,044,855
Colorado.....	1,458,919	2,042,487
Connecticut.....	1,243,961	1,741,546
Delaware.....	190,141	266,197
Florida.....	2,367,168	3,314,035
Georgia.....	1,686,060	2,360,484
Hawaii.....	352,072	492,901
Idaho.....	414,961	580,946
Illinois.....	4,820,984	6,690,917
Indiana.....	2,771,530	3,880,142
Iowa.....	1,937,075	2,711,905
Kansas.....	1,694,494	2,372,292
Kentucky.....	1,553,557	2,174,980
Louisiana.....	1,866,796	2,613,515
Maine.....	401,608	562,251
Maryland.....	1,475,635	2,065,889
Massachusetts.....	3,678,069	5,149,296

See footnote at end of table.

TABLE V.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED HIGHER EDUCATION AMENDMENTS OF 1968, TITLE I, EXTENSION OF EDUCATION PROGRAMS, FISCAL YEARS 1970-72.¹—Continued

PT. A—PUBLIC LAW 89-329, TITLE IV-A, EDUCATIONAL OPPORTUNITY GRANTS (INITIAL YEAR AWARDS)—Con.

	Fiscal year 1970	Fiscal years 1971 and 1972
Michigan.....	\$4,521,647	\$6,330,305
Minnesota.....	2,366,760	3,313,465
Mississippi.....	1,195,626	1,673,876
Missouri.....	2,550,428	3,570,599
Montana.....	449,665	629,531
Nebraska.....	960,817	1,345,144
Nevada.....	116,500	163,100
New Hampshire.....	416,081	582,513
New Jersey.....	1,764,617	2,470,463
New Mexico.....	533,575	747,005
New York.....	7,868,746	11,016,244
North Carolina.....	2,365,844	3,312,182
North Dakota.....	490,868	687,216
Ohio.....	4,847,117	6,785,963
Oklahoma.....	1,704,329	2,386,061
Oregon.....	1,317,347	1,844,286
Pennsylvania.....	5,018,045	7,025,263
Rhode Island.....	566,114	792,559
South Carolina.....	945,781	1,324,094
South Dakota.....	479,808	671,732
Tennessee.....	2,041,443	2,858,020
Texas.....	5,495,458	7,693,641
Utah.....	1,201,817	1,682,544
Vermont.....	316,680	443,351
Virginia.....	1,622,560	2,271,584
Washington.....	2,078,952	2,910,533
West Virginia.....	947,132	1,325,984
Wisconsin.....	2,501,377	3,501,922
Wyoming.....	213,251	298,528
District of Columbia.....	843,856	1,181,399
American Samoa.....	0	0
Canal Zone.....	0	0
Guam.....	15,111	21,155
Puerto Rico.....	662,075	926,905
Virgin Islands.....	2,063	2,888

¹ Proposed authorizations distributed on the basis of full-time, degree-credit enrollment in institutions of higher education, fall 1965.

TABLE VI.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED HIGHER EDUCATION AMENDMENTS OF 1968, TITLE I, EXTENSION OF EDUCATION PROGRAMS, FISCAL YEARS 1970-72.—PT. A—PUBLIC LAW 89-329, TITLE VI-A, UNDERGRADUATE EQUIPMENT

	A. Equipment and remodeling	B. TV equip- ment and remodeling
United States and outlying areas.....	\$60,000,000	\$10,000,000
50 States and District of Columbia.....	59,517,590	9,919,600
Alabama.....	985,698	164,280
Alaska.....	34,828	5,807
Arizona.....	695,432	115,900
Arkansas.....	574,260	95,713
California.....	6,631,832	1,105,307
Colorado.....	847,883	141,313
Connecticut.....	683,197	113,867
Delaware.....	110,469	18,413
Florida.....	1,595,040	265,840
Georgia.....	1,047,725	174,620
Hawaii.....	213,595	35,600
Idaho.....	264,452	44,080
Illinois.....	2,649,268	441,547
Indiana.....	1,512,494	252,080
Iowa.....	1,047,535	174,587
Kansas.....	907,052	151,173
Kentucky.....	981,605	163,607
Louisiana.....	1,142,446	190,407
Maine.....	246,992	41,167
Maryland.....	857,640	142,940
Massachusetts.....	2,095,038	349,173
Michigan.....	2,628,928	438,153
Minnesota.....	1,312,768	218,793
Mississippi.....	768,415	128,073
Missouri.....	1,439,585	239,927
Montana.....	246,674	41,113
Nebraska.....	529,246	88,207
Nevada.....	63,660	10,613
New Hampshire.....	257,857	42,973
New Jersey.....	1,041,512	173,587
New Mexico.....	331,445	55,240
New York.....	4,712,690	785,447
North Carolina.....	1,500,018	250,000
North Dakota.....	278,123	46,353
Ohio.....	2,749,680	458,280
Oklahoma.....	1,005,097	167,513
Oregon.....	789,693	131,613
Pennsylvania.....	3,077,963	513,000
Rhode Island.....	321,582	53,600

See footnote at end of table.

TABLE VI.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED HIGHER EDUCATION AMENDMENTS OF 1968, TITLE I, EXTENSION OF EDUCATION PROGRAMS, FISCAL YEARS 1970-72—PT. A—PUBLIC LAW 89-329, TITLE VI-A, UNDERGRADUATE EQUIPMENT—Continued

	A. Equipment and remodeling	B. TV equipment and remodeling
South Carolina.....	\$632,580	\$105,427
South Dakota.....	292,528	48,753
Tennessee.....	1,249,546	208,253
Texas.....	3,371,114	561,854
Utah.....	698,797	116,467
Vermont.....	182,968	30,493
Virginia.....	1,033,431	172,240
Washington.....	1,289,700	214,953
West Virginia.....	576,591	96,100
Wisconsin.....	1,442,917	240,487
Wyoming.....	120,111	20,020
District of Columbia.....	447,900	74,647
American Samoa.....	0	0
Canal Zone.....	0	0
Guam.....	11,802	1,967
Puerto Rico.....	463,523	77,253
Virgin Islands.....	7,085	1,180

¹ Distribution of funds with $\frac{1}{2}$ on the basis of estimated full-time and full-time equivalent of degree-credit and non-degree-credit enrollment, fall 1966 and $\frac{1}{2}$ on the basis of State products of (1) fiscal year 1969 allotment ratios with limits of 0.66% and 0.33% and (2) the fall 1966 enrollment, as above

TABLE VIII.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PUBLIC LAW 88-204 HIGHER EDUCATION FACILITIES ACT, TITLE I: FISCAL YEAR 1970

	[In dollars]		
	Total State amount	Sec. 103: Public community colleges and public technical institutes ¹	Sec. 104: Other undergraduate institutions ²
United States and outlying areas.....	936,000,000	224,640,000	711,360,000
50 States and District of Columbia.....	926,858,632	221,914,354	704,944,278
Alabama.....	16,814,709	5,437,095	11,377,614
Alaska.....	805,152	200,503	604,649
Arizona.....	8,855,641	2,178,624	6,677,017
Arkansas.....	9,302,810	2,323,376	6,979,434
California.....	95,793,998	18,093,147	77,700,851
Colorado.....	11,369,014	2,535,093	8,833,921
Connecticut.....	11,889,283	2,370,645	9,518,638
Delaware.....	2,106,320	441,794	1,664,526
Florida.....	24,736,424	6,252,326	18,484,098
Georgia.....	18,894,258	5,571,690	13,322,568
Hawaii.....	3,589,602	886,687	2,702,915
Idaho.....	3,989,613	1,083,764	2,905,849
Illinois.....	45,087,583	8,939,469	36,148,114
Indiana.....	23,758,299	5,504,476	18,253,823
Iowa.....	15,377,453	3,734,528	11,642,925
Kansas.....	12,193,738	2,782,419	9,411,319
Kentucky.....	15,544,443	4,861,526	10,682,917
Louisiana.....	17,443,829	4,924,497	12,519,332
Maine.....	4,653,069	1,485,100	3,167,969
Maryland.....	15,207,562	3,634,193	11,573,369
Massachusetts.....	28,464,371	5,841,040	22,623,331
Michigan.....	41,883,711	8,916,792	32,966,919
Minnesota.....	20,105,989	4,985,187	15,120,802
Mississippi.....	11,325,804	3,358,317	7,967,487
Missouri.....	21,473,642	5,328,770	16,144,872
Montana.....	3,787,547	991,100	2,796,447
Nebraska.....	7,714,992	1,881,213	5,833,779
Nevada.....	1,488,691	320,741	1,167,950
New Hampshire.....	3,622,180	883,425	2,738,755
New Jersey.....	24,069,570	6,089,834	17,979,736
New Mexico.....	5,522,606	1,811,862	3,710,744
New York.....	73,737,141	13,743,077	59,994,064
North Carolina.....	24,059,848	7,169,194	16,890,654
North Dakota.....	3,857,076	1,051,952	2,805,124
Ohio.....	47,402,290	11,570,979	35,831,311
Oklahoma.....	13,454,124	3,420,312	10,033,812
Oregon.....	11,320,291	2,633,305	8,686,986
Pennsylvania.....	53,685,070	14,430,403	39,254,667
Rhode Island.....	6,373,170	993,384	5,379,786
South Carolina.....	11,800,742	3,974,511	7,826,231
South Dakota.....	4,135,691	1,149,350	2,986,341
Tennessee.....	18,247,269	5,194,992	13,052,277
Texas.....	49,249,588	11,969,212	37,280,376
Utah.....	7,653,649	1,640,574	6,013,075
Vermont.....	2,390,593	588,133	1,802,460
Virginia.....	18,339,659	5,171,173	13,168,486
Washington.....	17,666,447	3,717,560	13,948,887
West Virginia.....	9,741,621	3,190,604	6,551,017
Wisconsin.....	22,402,722	5,407,894	16,994,828
Wyoming.....	1,801,033	460,229	1,340,804
District of Columbia.....	4,668,705	388,283	4,280,422

See footnotes at end of table.

TABLE VIII.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PUBLIC LAW 88-204 HIGHER EDUCATION FACILITIES ACT, TITLE I: FISCAL YEAR 1970—Continued

	[In dollars]		
	Total State amount	Sec. 103: Public community colleges and public technical institutes ¹	Sec. 104: Other undergraduate institutions ²
American Samoa.....	124,790	47,802	76,988
Canal Zone.....	0	0	0
Guam.....	332,778	117,627	215,151
Puerto Rico.....	8,545,380	2,524,326	6,021,054
Virgin Islands.....	138,420	35,891	102,529

¹ Distribution of 24 percent of the total amount on the basis of the State products of (1) 1965-66 high school graduates and (2) fiscal year 1969 allotment ratios, with limits of 0.66% and 0.33%.

² Distribution of 76 percent of the total amount with $\frac{1}{2}$ distributed on the basis of the estimated full-time and full-time equivalent of degree-credit and nondegree-credit enrollment in institutions of higher education, fall 1966 and $\frac{1}{2}$ on the basis of enrollment in grades 9-12 of public and nonpublic schools, fall 1966.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, as is typical of education bills that are reported under the chairmanship and management of the Senator from Oregon [Mr. MORSE], this one, characteristically, is well balanced in all phases of higher education programs. It takes account of the enormous explosion of higher education, which it is estimated will result in as many as 25 percent of Americans being graduates of colleges. Today, that percentage runs about half that number—12 or 13 percent.

When we consider—and this ties into our work in the labor field in the same committee—that each year it is believed that 25 percent of all jobs in the country require professional or semiprofessional training, it begins to be clear that the educational system has got to keep pace with the economic system if the country is not to fall on its face in economic and productive terms.

That is the point I rise to make, Mr. President. I do not wish in any way to duplicate what the Senator from Oregon has said. In the Senate we generally identify Members as having particular experience or competence in particular fields. I have had a close relationship, as Senators well know, with American business and American production all my life, including my public life. Therefore, I point out the intimate link between what we are seeking to accomplish by this bill in terms of higher education facilities, student loans, and the many other provisions which we are making, and the demands of the American economic machine.

That is the essence of this bill.

That is why the 4-year program is so essential, because just as in business, there must be an opportunity to look forward and to plan creatively for the future. So, too, in education, we must

do the same thing, or we cannot possibly accommodate the tremendously expanding student body, any more than we can accommodate the tremendously expanding economy, without advance planning.

The advance funding provisions which are in this whole bill reflect the same idea.

Senators may say, Does that not commit us to certain levels of expenditure for higher education? It does. But we cannot have the fruit without the tree. It is absolutely indispensable. I predict that if we do not pass this bill and make it law in its essential provisions, then we will have a brain drain in the United States—perhaps a brain disaster not just a brain drain—that we will not be training our young people to accept the responsibilities which the American industrial machine requires and which is the essence of American strength. American strength is not built upon some abstract concept of our people being strong, willing, effective, and intelligent. It is built on just such institutions as these and very heavily premised upon these institutions. So what we are doing, and what Senator MORSE is doing is striking out boldly with what is essential to the American destiny and, for all practical purposes, giving us an opportunity to double the student body to meet the educational needs of the Nation. That requirement is proportioned directly to the demands of the American system. It is no more. It can be no less.

I repeat, we will have a lot worse brain drain than is being complained about in Europe now unless we do it on the order of this magnitude. I am not talking about individual details. We might change or modify it, but I am talking about the general thrust of the bill.

I heard with the greatest interest Senator MORSE's remarks on the Foreign Service Corps. I do think we should let that be fought out by Senator DOMINICK, as it is his bill, and the Foreign Relations Committee, which has certain jurisdictional objections to it; but I hope very much, and I join Senator MORSE in this, that even on that provision we will not go out empty handed.

The university and college population is admeasured to the general economy of the country, which still employs 90 percent of the workers. The colleges and universities prepare individuals both for the government and for private enterprise, and each system is independent of the other—and maintaining that relationship of 90-10 is critically important—we still have 10 percent of our employees at the government level, not only Federal, but local and State.

There a degree of competence is required which takes special training. So I agree with Senator MORSE. We should let the parties in interest fight out whether there should or should not be a Foreign Service Corps, but I do hope that a substitute will be offered for what is proposed if the preponderant view seems to be against a Foreign Service Corps. There should be a representation of high competence in the Federal Government as well as competence for the generality of the system under which we live.

CONSTRUCTION OF ACADEMIC FACILITIES

Finally, I would like to raise two rather specialized points. One is to call attention with some pride to the subject which is described on page 30 of the committee report, dealing with our effort to finance the construction of academic facilities which are so essential to underlie an expanded college education. This is without appropriating direct money for grants or for loans, because under the rather peculiar system of bookkeeping in which we engage, any appropriations for loans, though they will be repaid, have a large budgetary and inflationary impact, as do appropriations for grants. It does not help us in that regard that they will be repaid and will ultimately enrich the Federal Treasury.

This approach, of which I am very proud to be the author, seeks to take advantage of the unique capacity of the United States as a market for securities only by underwriting an interest rate, rather than providing for direct loans and grants, in considering the demand for facilities, which will amount to from \$1.5 billion to \$2.2 billion a year for each year in the foreseeable future. So it can be seen that Federal participation in an intelligent way becomes critically essential.

We have had excellent experience with respect to the guarantees of interest rates with respect to many, many institutions which have been built under that concept. I refer to the college housing program, of which I was also the author. I may say that it was forced upon me by necessity. Sometimes we get the best ideas that way. The universities and colleges in New York were absolutely strangling for lack of money for college housing, and we could not get the needed money. We had to find some other way.

There is a market for this type of security, provided there is no undue burden on the carrying charge on the institution itself.

So the provision in the bill is modest. It means the beginning only. It makes possible \$300 million for the first year for that kind of loan, and underwrites the difference in interest, roughly somewhere between 2 and 3 percent, by providing \$6,750,000 authorization for the first year. Then, for the second year, it accumulates the same \$6,750,000 in underwriting and \$300 million on loans already made. It adds to that another \$6,750,000 in round figures, again providing another \$300 million in loans for the second year.

That will result in \$600 million worth of construction of college facilities, with a budgetary impact aggregating something in the area of \$20 million.

When we bear in mind that in this fiscal year we have cut the appropriations for college facilities programs by as much as 90 percent, it can be appreciated how critically essential is this new technique of financing which I have described. This technique is in its infancy. I believe it can be applied not only in the college field, where we have now applied it to college housing and where I hope will be applied to teaching facilities, but it can also be applied to the hospital field, where there is a need of \$1 billion a year for renovation and new hospitals—that

is also within the jurisdiction of our committee. The money can be readily raised, provided the maintenance cost is not an overwhelming burden on the hospitals which have to incur these responsibilities.

I wish to emphasize that we cannot do the job without direct loans or direct grant funds. These are institutions which cannot borrow. They are not creditworthy, or they do not have the alumni which will support them, or they have constitutional inhibitions. If they are public institutions, many States prevent borrowing of this character. But there is also this borrowing capability, and there is a need for the amounts authorized, and a good deal more. It represents an intelligent breakthrough in the budgetary and appropriations jam in which we find ourselves as a result of the stresses which we have been under financially.

I hope very much that the Senate will act with a reasonable degree of celerity upon this matter.

I believe Senator MORSE has brought to the floor, with the aid and cooperation of the Republican members—and I have the honor to be the ranking minority member of the full committee—in a completely bipartisan way, and with very creditable contribution from both sides of the aisle, a landmark and an historic higher education bill.

I join with Senator MORSE in paying tribute to the other Senators who have participated in the creativity reflected by this bill: to the Senator from Vermont [Mr. PROUTY], who is the ranking minority member of the Education Subcommittee; to the Senator from Colorado [Mr. DOMINICK] and the Senator from California [Mr. MURPHY], who have both made creative contributions to the bill; and, on the Democratic side, to the Senator from Texas [Mr. YARBOROUGH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Wisconsin [Mr. NELSON], the Senator from West Virginia [Mr. RANDOLPH], the Senator from New Jersey [Mr. WILLIAMS], and other Senators who have contributed.

SCHOOL LUNCH PROGRAM

Mr. President, before I take my seat, I wish to refer to one other matter which troubles me very deeply. That is the school lunch program.

We have a rather difficult situation as to committee jurisdiction between the Senate and the House of Representatives on that issue. In the House, since the subject matter relates to schools, jurisdiction is in the Committee on Labor and Education. In the Senate, however, jurisdiction of the school lunch program has for some years lodged with the Committee on Agriculture, as Senator MORSE pointed out the other day.

There is a case in point pending right now, Mr. President, which relates to the \$100 million voted for school lunches, which involves also the difficulties surrounding the so-called section 32 funds—funds resulting from Customs receipts—which are twice that amount, or more, for this fiscal year alone. The problem has been brought into focus by the fact that a separate bill has been passed in the House of Representatives, upon the motion of Representative PERKINS, who

heads the legislative committee over there which deals with this particular school lunch matter.

I wish to reserve the right, Mr. President, to offer an amendment to this bill. I see no inhibition, on the question of committee jurisdiction, from offering such an amendment on the floor; so, Mr. President, with all respect to my senior colleague, who has proceeded quite properly, I believe, considering the record on this question of jurisdiction for this particular session of Congress, I shall reserve the right to offer an amendment on the floor to this bill, to deal with the question of the school lunch program, and we will have an opportunity to consider just what ought to be done about it. It is a very pressing matter; every American is deeply assailed in his conscience, not just by the reports, because I have dealt with them in this committee, but by the actuality of starvation and serious malnutrition in the United States, especially of children.

The school lunch program is a way by which that can be avoided or mitigated, again without budgetary impact, because the money would come from section 32 funds. We have now undone the cord which bound us with respect to section 32 funds by a provision in the agricultural bill. The Senate has untied that Gordian knot, but the matter awaits action in conference. So, as I say, I reserve the right to bring this question up.

Laying aside the question of the school lunch program, I again say to Senator MORSE, who has rendered so many historic services to our Nation, that while unhappily his efforts in this field will receive, at the moment, far less notice than some of the times when he had been the exciting maverick that he often is on other issues, his status in history will, in my judgment, be built very substantially upon the fact of his creativity with respect to these institutions, their expansion, their development, and the resultant strengthening of the very bedrock of our country. He will be fully honored, long after the time that he and I are gone, for the service he has rendered and is rendering in connection with these matters.

Mr. MORSE. Mr. President, I think the Senator from New York knows how much I am moved by and appreciate his very kind remarks about my work as chairman of the Subcommittee on Education and as manager of our education bill; but I repeat what I have said so many times in the past: The credit belongs to the entire committee. And let me say that no small part of that credit belongs to the Senator from New York [Mr. JAVITS], for he is minority leader on the committee, and I wish to say once again, as I have in the past, that I have never failed to receive his complete cooperation on any problem coming before my subcommittee, including those times, Mr. President, when the Senator from New York and I might be on opposite sides of an educational issue before the committee.

Cooperation is really tested when men have different views on some substantive issue before them. I have never failed to receive Senator JAVITS' cooperation; and very often he has proved himself right

and me wrong on the merits of a given proposal. He has convinced me in the committee, and I have come over to his side and supported his proposals; and there have been occasions when he has taken the same position in regard to some of my proposals.

What I wish to stress here more than anything else is that I do not think there is anyone who deserves as much credit as Senator JAVITS for the fact that we bring nonpartisan education bills to the floor of the Senate each year, as we have done for many years past. This year is no exception. We bring to the Senate today this first bill on higher education, to be followed by one on vocational education, with the unanimous vote of the committee. That does not mean that the members of the committee will not offer amendments to the bill. The manager of the bill not only assures them that every opportunity will be made available for them to make their cases, but I shall request—and I am sure I shall obtain for them, because it has never been denied—rollcall votes on any amendments which they offer.

Mr. President, I think the best way I can state my appreciation with respect to Senator JAVITS for his cooperation with me is to make these few brief comments on the statements he has made during the past few minutes on the floor of the Senate.

He has talked about the importance of this bill to the economy of this country. I wish to say, Mr. President, that we are not only offering education legislation today; we are offering economic legislation. And we are offering, in my judgment, not only education legislation and economic legislation, but general welfare legislation without which we cannot make this political and economic system, based upon political and economic freedom of choice for the individual citizens of this country, work. I believe we cannot maintain a system of economic and political freedom in this Republic unless we train and develop the potential brainpower of the youth of our country; and when we do that, Mr. President, we are passing legislation that is not excelled by any piece of economic legislation you can mention.

When we speak of economic legislation, I do not care what form that it takes, we are talking about legislation that has to be carried out by the skills and the brainpower of the people of this country. And speaking of loans, no member of my committee has done as much to come forward with a student loan program, and to bring the banking fraternity and the lending agencies of our country into that program, as has the Senator from New York [Mr. JAVITS].

I am so glad the Senator said what he had to say in respect to the interest rate matter. Of course, we would like to have a lower interest rate, but there is not a lower interest rate in the rest of the country. And the way we have handled the interest rate problem—to be of assistance to those young men and women who need a loan—again is due in no

small measure, by way of credit, to the distinguished Senator from New York.

Mr. President, I appreciate what the Senator said about title XII in supplementing what I have already said in regard to the Foreign Service Corps section of the bill. But, as I have said earlier, I think it raises some very serious jurisdictional questions. Although I shall await the discussion this afternoon by the Senator from Colorado [Mr. DOMINICK], I do not think it limits itself to the degree that we can limit it to the matter of scholarships in this field.

The concern of the six members of the Foreign Relations Committee who have already talked to me about it this morning—and I refer to the fact that six members have talked to me about it—satisfies me that we are going to have to, I think, change somewhat the structure of the title.

I shall press for retaining in the title the scholarship program, for this is not merely for scholarships for young men and women that want to go into diplomatic foreign service. As I have said earlier, it also applies to people in agriculture, in commerce, in labor, in banking, and in the whole gamut of our economic structure in respect to our foreign relations and foreign trade as well as diplomatic service.

I think it can be worked out. I hope that my colleagues on the Foreign Relations Committee will cooperate with me in working out a retention of the scholarships aspect of the matter. I think these young men and women are entitled to that help under the pending bill.

I say to the Senator from New York that I completely share his viewpoint in respect to the school lunch program. I spoke about this matter the other day. I was then confronted with the reality that for some years past the school lunch program has been referred to the Committee on Agriculture and Forestry. And there is no doubt that the reorganization law specifically, in my judgment, gives jurisdiction to the Committee on Labor and Public Welfare. However, it is also my understanding that the Committee on Labor and Public Welfare has for the past several years acceded to the jurisdiction of the Committee on Agriculture and Forestry without having raised the issue here on the floor of the Senate.

I thought it would be quite inappropriate for me, in the closing days of this session when we have this issue before us in respect to the school lunch program of the Committee on Agriculture and Forestry, to be raising a jurisdictional matter.

I made it very clear that I would not raise the issue in this session. I reserved the right to raise it next year, if I am back here, at an early date, without any relation to any particular bill at the time, to have the Senate decide, as the Senate decision, to which committee the Parliamentarian thereafter shall refer the school lunch program.

I think school lunch programs go far beyond the matter of surplus food distributed by the Agriculture Department.

I think the school lunch programs go to this whole question of providing, as part of the educational structure of the country, funds in order to assist boys and girls who would otherwise be without a lunch program. In fact, I have spoken on it heretofore in respect to the school breakfast programs.

Mr. President, I think we ought to go into the whole matter of the relationship between nutrition and ability to learn, for it is direct. If the boy or girl does not have adequate nutrition, there is no question about the fact that there is a direct cause and effect relationship between his blood chemistry, which depends upon the supply of nutritious food, and his learning ability.

I think that is a basic educational problem and not an agricultural problem. Therefore, some time next year, if I am here, I think the matter ought to be determined, but outside the context of the particular bill which confronted me when it was suggested that, as chairman of the Subcommittee on Education, I should raise a jurisdictional point.

I talked to staff members of the Senate Committee on Labor and Public Welfare. I was informed as to the past practice, and I decided that as far as this particular school lunch program for this year is concerned, I would not, as chairman of the subcommittee, raise a jurisdictional question.

I say to the distinguished Senator from New York that I certainly agree with him that the bill which passed the House and went through their Education and Labor Committee, which seeks to provide a \$100 million increase, I believe, for a school lunch program, is a bill which I will always support.

I hope, and I am hoping before our day is over this afternoon, when the distinguished Senator from Louisiana [Mr. ELLENDER] and the distinguished Senator from Florida [Mr. HOLLAND] are present in the Senate Chamber—because I think it would be wise to do it when they are present since they are the two with whom I had my colloquy the other day—to discuss the matter further.

The Senator from New York and I will join in raising the question as to the status of the school lunch program before the Senate Committee on Agriculture and Forestry.

I agree with the Senator from New York that we ought to get favorable action on an enlarged school lunch program before this Congress adjourns.

I again thank the Senator from New York for the kind references he made to me.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD as part of my remarks a special report on Federal programs, published by the American Council on Education, entitled, "An Assessment of the Higher Education Facilities Act."

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

AN ASSESSMENT OF THE HIGHER EDUCATION FACILITIES ACT

The Higher Education Facilities Act, a landmark in Federal education legislation, is now in its fourth year of operation. Although the Act officially became law on December 16, 1963, funds for it were not provided until the following September, then well into the Government's 1965 fiscal year.

The purpose of the Act (Public Law 88-204) is to assist the Nation's colleges and universities "to accommodate rapidly growing numbers of youth who aspire to a higher education." The Act presently is scheduled to expire on June 30, 1969, but legislation is pending in Congress to extend it for five years, to mid-1974.

What has the Act accomplished so far? What can it be expected to achieve in the coming years? The U.S. Office of Education undertook an assessment of the Act last November, then revised it this Spring to reflect cuts in facilities funds in the current 1968 fiscal year and in the Administration's budget for fiscal 1969. The USOE survey, entitled "An Interim Assessment of Academic Facilities Needs and the Contributions of the Higher Education Facilities Act of 1963," was sent to State Higher Education Facilities Commissions, which handle applications for undergraduate facilities grants. This *Special Report* discusses the highlights of that survey, and reproduces its most significant tables.

First, the survey is admittedly only an interim assessment. It states at the outset that "data adequate for a full evaluation of the effects of the Higher Education Facilities Act (HEFA) assistance are not yet available." It said a substantial improvement in available data is expected to result from the tabulation of the Fall, 1968, returns in the Higher Education General Information Survey, but that a "significant breakthrough" probably will be achieved only after two or three years of effort under the new program, authorized in 1966, of grants to State Commissions for comprehensive planning.

By the end of this fiscal year on June 30, a total of \$2.17 billion in Federal funds will have been committed under provisions of the Act for the construction of academic facilities at colleges and universities. The Federal funds will have helped to finance \$6.23 billion worth of construction. From the start of the HEFA program through this fiscal year, USOE estimates that 610 grants will have been awarded for construction of public community college and technical institute facilities and 2,140 grants for other undergraduate institutions under Title I of the Act. Under Title II, more than 300 grants for construction of graduate facilities will have been made by the end of this fiscal year, and under Title III, more than 600 construction loans.

A year-by-year breakdown of HEFA fund commitments, the total cost of buildings they help finance, and the cost of buildings completed with HEFA assistance is shown on the following Table I from the USOE survey. The USOE noted that experience to date indicates that most buildings are completed and ready for use between two and four years after the initial grant or loan was committed. The figures for Fiscal 1968 and 1969 show both the original HEFA funding estimates and the amounts remaining after the present and projected cuts. For future years, the survey projects HEFA funding at around the level of \$600 million annually, with the Federal share of project costs remaining about the same as at present.

If the projections prove accurate, the Higher Education Facilities Act, over a 10-year period (Fiscal 1965 through 1974) will have provided a total of \$5.56 billion to assist in the construction of more than \$14.6 billion worth of college buildings.

RELATIONSHIPS AMONG HEFA PROGRAM FUNDS COMMITTED, ESTIMATED COST OF BUILDINGS FOR WHICH COMMITTED, AND COST OF BUILDINGS COMPLETED WITH HEFA ASSISTANCE

Fiscal year	Total HEFA program funds committed ¹	Total cost of buildings for which HEFA commitments were made ¹	Total cost of new buildings completed with HEFA assistance
1965	392.1	1,272.0	106.1
1966	626.8	2,140.0	299.2
1967	710.7	1,701.0	723.0
1968 ORG	650.0	1,625.0	1,538.2
1968 RED	450.0	1,125.0	1,528.2
1969 ORG	650.0	1,625.0	2,031.1
1969 RED	375.0	937.5	1,952.3
1970 ORG	632.0	1,580.0	1,753.9
1970 RED			1,389.5
1971 ORG	608.0	1,520.0	1,685.1
1971 RED			1,157.0
1972 ORG	595.0	1,487.5	1,583.9
1972 RED			1,377.6
1973 ORG	586.0	1,465.0	1,532.7
1973 RED			1,527.7
1974	586.0	1,465.0	1,493.9

¹ Millions of dollars.

Note: ORG—Estimated on basis of original target levels, fall 1967. RED—Reduced estimates, reflecting reductions in fiscal year 1968 and fiscal year 1969 levels, assuming original target levels unchanged for fiscal years 1970 through 1973.

HEFA SUPPLY AND DEMAND

Information obtained in the USOE analysis demonstrates amply that the demand for HEFA financing far exceeds the funds available. Except for loan applications in the initial year of the program, there have never been sufficient monies to fund all eligible applications. And in no year have funds for Title I undergraduate facilities grants been sufficient to pay the full authorized Federal share of the cost of all projects approved.

The disparity between demand and supply is particularly acute in the current 1968 fiscal year as the result of cutbacks in overall

Federal spending ordered by Congress and the Administration last December.

As of mid-March, the amount of Title I applications received by State Facilities Commissions totalled more than \$584 million, or some \$320 million in excess of the funds available in the current fiscal year. Applications received by mid-April for Title II graduate school grants amounted to more than \$100 million, compared with \$33 million in available funds. Title III loan applications were estimated conservatively to total \$250 million in the current fiscal year, compared with \$150 million in loan funds available.

In discussing the supply of and demand for HEFA funds, the USOE survey makes these observations:

"The fact that so much needed construction has been and is being provided with non-Federal funds is not necessarily an indication that the available Federal funds have been adequate. What this fact does reflect is a desperate response by state governments and private institutions to the problems of booming enrollment pressures and inadequate facilities—the quantity gap and the quality gap.

"The non-Federal funds, however, are being provided at an obvious price. Much of the cost of academic facilities construction is being provided from debt financing which gets converted into increased student charges and depressed expenditures for faculty, and for instructional equipment and materials.

"In addition, experience under Title I of the Act appears to indicate that many non-public institutions tied up their matching capacity for several years in connection with projects submitted in the first two years of the program. An increasing portion of the growth in academic facilities commitments in the next two or three years probably will be in the public sector."

The following analysis shows the participation by private institutions in the first three years of the HEFA program. It is noted that the percentage of total funds going to private institutions under all three parts of the program showed a steady decline.

(Dollar amounts in millions)

Fiscal year	Title I undergraduate grants		Title II graduate grants		Title III loans	
	Amount	Percent	Amount	Percent	Amount	Percent
1965	\$83.3	37	\$28.2	47	\$102.1	95
1966	141.5	30	19.7	33	73.5	74
1967	125.7	28	18.9	31	115.0	58
3-year total	350.5		66.8		290.6	

As mentioned earlier, HEFA funds have not been sufficient in any year to pay the maximum Federal share authorized by law for Title I projects. The Act states that the Federal grants "shall in no event exceed" 40 percent of the development cost of projects at public community colleges and public technical institutes, and shall not exceed

33 1/3 percent for projects at other undergraduate institutions.

Following is a USOE table showing the percentage of eligible requests met by available funds and the average Federal share for approved projects. Section 103 refers to projects at public community colleges and technical institutes, and Section 104 to projects at other undergraduate institutions.

DEMAND/PARTICIPATION ANALYSIS, HIGHER EDUCATION FACILITIES ACT

Fiscal year	Total required for full Federal shares of all eligible applications	Total funds available	Percentage of requests met by available funds	Average Federal share for approved new projects (percent)
Sec. 103:				
1966	\$178,798,226	\$105,467,771	59	32.73
1967	171,520,197	105,224,747	61	27.11
1968	186,166,000	67,000,000	36	(^c)
1969 ¹	200,000,000	67,000,000	34	(^c)
Sec. 104:				
1966	\$489,122,793	\$363,149,484	74	26.86
1967	429,120,374	352,947,905	82	28.79
1968	401,957,000	200,000,000	50	(^c)
1969 ¹	400,000,000	133,000,000	33	(^c)

¹ Estimated.

² Not available.

Applications for Title II grants for the construction of graduate facilities and for Title III loans are made directly to the U.S. Office of Education, and are not channelled through State Facilities Commissions as are undergraduate facilities grants.

As previously noted, applications received by USOE's Graduate Facilities Branch by mid-April totalled over \$100 million, with more expected by June 30, compared with \$33 million in Federal funds available in this fiscal year. At the start of the next fiscal year on July 1, the Branch estimates that there will be a carryover of \$80 to \$100 million in eligible but unfunded applications. This is measured against a budget allotment of \$25.5 million for graduate facilities grants in the new fiscal year.

In the initial year of the HEFA program (Fiscal 1965), there was an unused balance of \$61.5 million in Title III loan funds which lapsed. Thereafter the demand for loan funds escalated rapidly and each year since there has been a carryover of eligible, unfunded applications as shown on the following USOE table. The carryover in unfunded loan requests at this fiscal year's end will amount to an estimated \$228 million.

The USOE report commented that loan fund shortages are posing increasing difficulties in connection with grants, since about 95 percent of the loan applications are related to projects under Title I or Title II. In many instances, it added, the requested loan is an essential part of the financing plan for a project submitted under Title I.

SUMMARY OF DEMAND AND PARTICIPATION UNDER TITLE III OF THE HIGHER EDUCATION FACILITIES ACT, FISCAL YEARS 1965 THROUGH 1968

(Dollar amounts in millions)

	1965	1966	1967	1968
Authorized lending level.....	\$169.3	\$110.0	\$200.0	\$150.0
Total loan requests.....	\$107.8	\$240.3	\$356.2	\$360.0
Unmet requests.....	(\$61.5)	\$140.5	\$156.2	\$210.0
Number of applications funded.....	133	143	211	180
Number of applications deferred.....	0	130	205	228

¹ Only \$99,800,000 available; \$10,200,000 became unavailable May 24, 1966, due to enactment of Public Law 88-429 (Participation Sales Act), which created title III loan revolving fund.

² Estimated.

³ Unused balance of available loan funds—lapsed as of June 30, 1965.

HEFA AND THE "QUANTITY GAP"

The Higher Education Facilities Act was passed in the midst of the spiraling college enrollments of the '60's. One of the most persuasive arguments for its enactment was the prediction that the number of college students would double during the decade—a projection now in the process of coming true. In preceding sections this *Special Report* has discussed the Act in terms of dollars. What has it accomplished in terms of providing classroom space for the ever-increasing numbers of students?

The USOE survey analyzes the effects of the Higher Education Facilities Act on the "quantity gap" in academic facilities—that is, the difference between the amount of space available and the amount that would be needed to provide a standard figure of 150 square feet per student for the rapidly expanding enrollments. At the same time, the survey points out that emphasis on the quantity gap "has tended to obscure an equally important quality gap, which reinforces the problems of inadequate quantity

and probably will become much greater in the years immediately ahead." Discussing the "quality gap," the survey notes a "growing problem of technological obsolescence" of many classrooms. For example, facilities built 50 years ago cannot, in many cases, accommodate the educational media and instructional equipment in use today. In other cases, classrooms are not the right size for programs now offered.

The Higher Education Facilities Act is directed toward the quantity gap in instructional facilities. One specific requirement for a Title I grant (although not for a Title II grant or for a loan) is that the project must lead to a "substantial expansion of the institution's student enrollment capacity." According to USOE projections last Fall, the quantity gap was expected to be almost closed by 1973. That goal has been delayed by two years as the result of the 1968 budget cut and the proposed reduction for 1969.

The USOE makes these general observations on the impact of the HEFA on the quantity gap:

1. The quantity gap in academic facilities grew larger in the early years of the Higher Education Facilities Act because the Act came along three years later than needed to prepare for the enrollment bulge. According to the USOE analysis, the amount of academic space per student—a national average of 119 square feet—in the last three years is estimated to have been the lowest since 1952 and perhaps for all time.

2. If the Higher Education Facilities Act is continued at the projected levels (of around \$600 million a year) beginning in Fiscal Year 1970, but without restoration of the FY 1968 and FY 1969 reductions, the quantity gap will be gradually reduced below its current level, although the gap remaining in 1973 would be larger than is considered desirable.

3. If the reduced levels are sustained beyond 1969, "the quantity gap will again begin to grow substantially."

The effect of the Fiscal 1968 and 1969 reductions in HEFA program levels is shown in the following USOE estimates of the space shortage, expressed in terms of the number of student places and in gross square feet per student and total gross square feet.

ESTIMATED IMPACT OF THE HIGHER EDUCATION FACILITIES ACT OF 1963 ON THE ACADEMIC FACILITIES QUANTITY GAP

Academic year	FTE enrollment ¹	Academic facilities needed ²	Academic facilities available ³	Quantity gap ⁴		Academic facilities completed	
				Total ⁵	Per student ⁶	Total ⁷	Assistance ⁸
1958-59.....	2,658	398,700	404,400	None	None	.....	.....
1963-64.....	3,693	553,950	498,859	55,091	15	28,114	173
1964-65.....	4,112	616,800	526,978	89,822	22	32,034	2,880
1965-66.....	4,667	700,050	559,007	141,043	30	41,282	8,121
1966-67.....	5,052	757,800	600,289	157,511	31	59,554	19,374
1967-68.....	5,472	820,800	659,843	160,957	30	71,502	40,029
Original projection.....	.....	.....	659,843	160,957	30	76,330	40,497
1968-69.....	5,808	871,200	731,345	139,855	24	57,822	49,170
Original projection.....	.....	.....	736,178	135,022	23	64,222	51,852
1969-70.....	5,919	887,850	789,167	89,683	17	66,206	33,649
Original projection.....	.....	.....	800,395	87,455	15	73,521	42,947
1970-71.....	6,135	920,250	855,373	64,877	11	49,814	26,943
Original projection.....	.....	.....	870,521	49,729	8	55,318	39,608
1971-72.....	6,411	961,650	905,187	56,463	9	50,991	30,847
Original projection.....	.....	.....	928,839	32,811	5	56,629	35,694
1972-73.....	6,732	1,008,450	956,178	52,272	8	34,275	32,999
Original projection.....	.....	.....	985,464	22,986	4	38,062	33,214
1973-74.....	7,038	1,055,700	990,452	65,247	10	51,976	30,926
Original projection.....	.....	.....	1,023,526	32,174	5	51,976	30,926

¹ Thousands.

² Thousands of gross square feet.

³ Based on overall average planning factor of 150 gross square feet of academic facilities per FTE (full time equivalent) student.

⁴ Gap per student in gross square feet.

Note: Original projection means before fiscal year 1968 and fiscal year 1969 reductions. Original levels were \$550,000,000 for both years.

	Estimated deficiency in number of student places	Estimated deficiency in square feet per student	Estimated deficiency in total gross square feet (in millions)
Fall of 1964.....	599,000	22	90
Fall of 1967.....	1,073,000	30	161
Fall of 1973 after reductions.....	436,000	10	65
Fall of 1973 as originally projected.....	211,000	5	32

The USOE estimates of academic facilities needed, as reflected in the above table and following chart, are calculated on the basis of 150 gross square feet per full-time equivalent (FTE) student. This represents an average figure for actual and planned construction of academic facilities at an average "mix" of institutions. As such, the survey emphasizes, the figure is useful for broad analyses and projections, but would be of only limited value in analyzing the situation at an individual institution. Average space allowances for graduate students tend to run substantially higher (i.e., 200 square feet) and for junior college students somewhat lower (i.e., 120 square feet). The survey noted that many colleges are better off and many others worse off than the average figures indicate.

The following table shows the impact of the Higher Education Facilities Act on the quantity gap in instructional facilities. It reflects the delayed impact of HEFA commitments—that is, the lapse of two to four years between the time a loan or grant is made and the building is ready for use. For example, the large HEFA commitments in the 1966 and 1967 fiscal years result in facilities ready primarily in the 1968-69 and 1969-70 academic years.

In preparing the analysis, the USOE started with a nationwide inventory of college facilities available as of December, 1957, before enrollments started to spiral. Estimates of space added were derived from actual completions in academic years 1958-59 through 1963-64 as published in USOE surveys, and from institutions' projections for academic years 1964-65 through 1969-70 as reported to the USOE. Estimates of both total and HEFA-assisted facilities completed after 1969-70 are projected from current experience and assume that the Federal share of project costs will remain the same as at present and that substantial non-Federal funding will continue.

The USOE survey shows that, while substantial progress is being made, the academic facilities problems has not yet been solved. From its overall review, and sample studies of specific institutions, the survey identifies a number of "problem trends which are typical of situations where space is inadequate." These include:

Increased use of leased space, which eats up operating funds needed for other purposes. Also, leased space often is ill-suited to the academic purposes for which it is used.

Severe shortages of laboratory space, which make faculty recruitment more difficult, curtail available laboratory time for students, and frequently prevent enrollment growth which would result in more efficient use of other types of facilities.

Previously-mentioned obsolescence, frequently severe in older, smaller, and, particularly, private institutions. In many instances, the resulting program inadequacies make it more difficult for such institutions to attract and hold faculty and students at a time when other expanding colleges are overcrowded.

Scheduling practices which put a strain on maintenance and crowd out opportunities for extension and community service activities of the institution.

Deferral of fine arts or physical education facilities in favor of "higher priority" needs, resulting in incomplete and distorted total programs at many institutions.

A general reduction in the amount of time faculty members spend in contact with students. While media for individual learning might compensate for this, such facilities generally remain unavailable.

Mr. JAVITS. Mr. President, I suggest to my colleague that when he is through with the colloquy, the Senator from Vermont [Mr. PROUTY] wants the floor.

Mr. MORSE. I thank the Senator.

Mr. President, during the hearings of the Subcommittee on Education concerning the proposals for amending our higher education legislation, the Senator from Virginia [Mr. SPONG] made an eloquent case for language directing the Commissioner of Education to distribute fellowships under title IV of the National Defense Education Act more equitably. The Senator pointed out that current allocation patterns tended to reinforce the strength of already-strong institutions, at the expense of those institutions with less developed doctoral capacity. The committee agreed with the Senator that current practices need modifying, and drafted language for inclusion in S. 3769 to assure that fellowships are awarded equitably to all areas of the country.

The Senator from Virginia [Mr. SPONG] recommended that a distribution formula based on State population be inserted in title IV of NDEA. Upon reflection, the committee felt that such a formula would be too restrictive, and would not in all cases truly reflect the Ph. D.-granting ability of the colleges and universities of a State or the college selections of graduate students of all 50 States. Some areas may be populous but lack the necessary graduate institutions to absorb the fellowships that would be allocated to them on a population-based formula; other areas may be sparsely populated but have a university of high caliber which could make important contributions to the development of college teachers. And in the West, the Western Interstate Commission for Higher Education, through interstate agreements,

provides educational opportunity for the students of participating States. The committee felt that there was insufficient relationship between general population and degree-granting capacity to justify such a narrow formula.

However, the committee was equally convinced that some change was necessary to assure equitable allocation of fellowship funds. Therefore, the committee drafted language ordering the Commissioner of Education to allocate NDEA fellowships equitably, and advised the Commissioner to consider two factors in making such allocations: first, college enrollment; and, second, lack of Ph. D.-holding faculty members in the colleges and universities of the State. The first factor—college enrollment—is more closely related to a State's need for more college teachers than the State's population at large. The second factor—the ratio of non-Ph. D. faculty members to Ph. D.-holding faculty members—will act as an equalizing factor, helping to assure that those States whose need for college teachers with the doctorate is the greatest will receive the largest numbers of NDEA fellowships.

However, I have consulted with the members of the committee, and we have agreed that we could take population as an illustrative factor to be considered as one of the factors in reaching a judgment.

If the Senator from Virginia, who proposed the population factor, would agree, we wish to propose the inclusion of the term "population." I would be very glad to accept that amendment, if it would be satisfactory to the Senator from Virginia.

Mr. SPONG. Mr. President, I thank the very able chairman of the committee.

First, I should like to commend the chairman and the members of the committee for the presentation they have made this morning.

Second, I should like to thank them for the consideration the subcommittee and the committee have given the problem of securing a more equitable geographic basis for the distribution of NDEA fellowships. I believe that language on page 36 of the report covers this matter; also, under title V on page 81 of the bill. I am pleased that the committee acted on this matter and I am pleased that the committee and the chairman will accept language relating to population.

Mr. President, I have a brief amendment which I believe will take care of the population matter. I send the amendment to the desk.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The legislative clerk read the amendment, as follows:

On page 81, line 4, strike out the words "higher education and" and insert in lieu thereof the words "higher education, population, and."

Mr. MORSE. Mr. President, I accept the amendment.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Virginia.

The amendment was agreed to.

Mr. MORSE. Mr. President, I yield to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I was not present while the Senator made his report on what the bill contains. The purpose of my questions now will be to ascertain exactly what amounts are to be authorized for the several years mentioned in the report.

The Senator stated that he refers to the table in the report showing what the authorizations and the expenditures will be for the 5 years that are discussed in the table.

Mr. MORSE. We have cut it down to 4 years. The bill was introduced as a 5-year bill, and we cut it down to a 4-year bill.

Mr. LAUSCHE. Is my understanding correct that for fiscal 1968 the sum of \$2,594,370,000 was authorized for appropriation?

Mr. MORSE. The Senator's understanding is correct.

Mr. LAUSCHE. The fiscal year of 1968 has now expired. Is that correct?

Mr. MORSE. The Senator said \$370,000. It is \$320,000.

Mr. LAUSCHE. That is correct.

The fiscal year of 1968 expired on June 30, did it not?

Mr. MORSE. That is correct.

Mr. LAUSCHE. Although \$2,594,320,000 was authorized to be appropriated, the actual appropriation, however, was only \$1,468,955,000; is that correct?

Mr. MORSE. The Senator is correct.

Mr. LAUSCHE. I now come to fiscal year 1969, which began on July 1. The total authorization for fiscal year 1969 is \$3,000,028,695.

Mr. MORSE. The Senator is correct.

Mr. LAUSCHE. That is approximately \$1.5 billion more than was appropriated in 1968.

Mr. MORSE. The Senator is correct.

Mr. LAUSCHE. In other words, it is double the amount that this bill would authorize.

Mr. MORSE. Approximately.

Mr. LAUSCHE. For 1970, the total authorization would be \$3,421,213,000?

Mr. MORSE. That is correct.

Mr. LAUSCHE. For 1971, \$3,693,221,000?

Mr. MORSE. That is correct.

Mr. LAUSCHE. Is 1972 also taken care of?

Mr. MORSE. 1972 is included, \$3,723,117,000; but 1973 has been eliminated.

Mr. LAUSCHE. Has the House acted yet on the authorization for 1969?

Mr. MORSE. The House has deferred action on appropriations for these programs.

Mr. LAUSCHE. The figures we have thus far discussed deal with existing programs?

Mr. MORSE. That is correct.

Mr. LAUSCHE. Table 2 deals with what are supposed to be new programs.

Mr. MORSE. The Senator is correct.

Mr. LAUSCHE. Are any of these new programs actually to be put into effect in fiscal year 1969?

Mr. MORSE. I explained in my statement today that we deferred until 1970 any of these new programs. We have \$1.7 million for 1969 for the necessary pre-

paratory work to get ready for the new programs in 1970.

Mr. LAUSCHE. None of the new programs are being authorized for operational purposes because of the uncertainty of the fiscal situation?

Mr. MORSE. Earlier today, when I explained why we were deferring it for 1970, I said I want to talk about some realism in regard to this program; and the realities, in view of the fiscal situation that faces us in this country, called, in my judgment, for us to postpone until 1970.

What is needed, may I say to the Senator from Ohio—and it was brought out by witness after witness—is a blueprint, so that the administrators of these schools can proceed to make their plans and know where they are going by 1970. The matter of lead time, which they talk about so much in their testimony, is important in running a university program.

Mr. LAUSCHE. While no funds for operational purposes of the new programs have been authorized, \$1,700,000 has been authorized for preparatory work needed to put the new programs into operation?

Mr. MORSE. That is correct.

Health, Education, and Welfare officials indicate that they need about \$1.7 million so that they can give some assurance that the money will be better spent when they really start to put the programs into operation. Otherwise, at the beginning of fiscal 1970 they will be doing both the planning and the spending, and we have learned that that involves a great deal of waste.

Mr. LAUSCHE. Do I correctly understand that table 2 is somewhat erroneous in the information it gives, because at the top it says the figures are in thousands, while on the \$1.7 million it is not in thousands?

Mr. MORSE. None of them is in thousands.

Mr. LAUSCHE. None of them is in thousands. Therefore, the reference in brackets to "in thousands" is incorrect.

Mr. MORSE. I thank the Senator. It needs to be clarified. I believe the Senator is correct.

Mr. LAUSCHE. Yes, I am sure I am correct.

Mr. MORSE. Counsel says that the decimal point, not the comma, make them in thousands.

Mr. LAUSCHE. Very well. It is not important. The last three ciphers should be dropped.

Mr. MORSE. The Senator is correct.

Mr. LAUSCHE. Under title I, set forth in table 1, part C, there is an item entitled "Loan Forgiveness and Payments on Insured Loans." One item is "Increase in Loan Forgiveness for Teachers." Will the Senator explain what the increase is?

Mr. MORSE. There are more teachers who are teaching, so we have a large amount of forgiveness. Also, we are expanding the programs in which we are encouraging these people to teach in slum schools and areas where there is a great deal of poverty. We are trying to get more teachers there. Therefore, there is a larger amount of forgiveness.

Counsel also points out that we have included forgiveness for military service.

Mr. LAUSCHE. That is the next item. "Forgiveness for Military Service."

My first question is directed to the teachers, and that is to induce teachers to go into slum areas. We are giving them forgiveness in excess of what they have been given.

Mr. MORSE. The Senator is correct.

Mr. LAUSCHE. Now, I wish to ask about the item entitled "Forgiveness for Military Service."

Mr. MORSE. With respect to young men who go into the military service—before they go into military service they had a loan—the bill provides when they come out of service the loan is forgiven. It is a form of GI assistance program.

Mr. LAUSCHE. Mr. President, I want to commend the Senator from Oregon [Mr. MORSE] for his realism in seeing to it that the new programs were not sought to be put into effect at this time of financial difficulty. In all probability the programs are sound but one must give real consideration to the fact that moneys are not available to do all we want to do.

Mr. MORSE. It was my amendment in committee, but let me say that if I had not made it a good many other Senators would have made it because it had the unanimous support of the committee.

Mr. LAUSCHE. I still give the Senator whatever credit he is entitled to receive.

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MURPHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT— APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on July 13, 1968, the President had approved and signed the act (S. 1251) to make certain reclamation project expenses nonreimbursable.

EXECUTIVE MESSAGES REFERRED

As in executive session.

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

HIGHER EDUCATION AMENDMENTS OF 1968

The Senate resumed the consideration of the bill (S. 3769) to amend the Higher

Education Act of 1965, the National Defense Education Act of 1958, the National Vocational Student Loan Insurance Act of 1963, and related acts.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PROUTY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROUTY. Mr. President, we have before us today the largest package of higher education legislation that has ever been considered by the Congress. S. 3769 is the direct result of long months of deliberations and extensive study by your Education Subcommittee. It embodies recommendations of both the executive and legislative branches of Government.

However, it differs from the administration's suggested bill in that it reflects improvements and contains a substantial number of new programs jointly sponsored by both the Republican and Democratic members of this body. These additions the committee unanimously felt were absolutely necessary to meet in a substantive realistic manner the requirements of American higher education.

The bill represents a response to the desperate need for immediate action in this field and a reaffirmation of our congressional commitments to make available to our ambitious young people the opportunity to achieve a higher education. But, it is also a continuation of our understanding of the long-term needs during a time of ever-increasing concern over the rising costs of going to college.

The bill contains a variety of proposed amendments to a number of laws and bills that touch on all aspects of financial aid to education. It constitutes another in a series of important educational advances toward quality education.

In my judgment, it is as sound as it is necessary. It is an omnibus bill extending for 4 more years, with many changes, the Higher Education Act of 1965, the Higher Education Facilities Act, the National Defense Education Act, the International Education Act, and the National Vocational Student Loan Insurance Act.

Furthermore, S. 3769 provides for continuing the orderly administration of student aid programs and for the expansion of benefits to our deserving college and university students and their institutions of higher education.

At this time, I wish to pay particular tribute to and express my esteem for our distinguished subcommittee chairman, the Senator from Oregon [Mr. MORSE], whom I cherish not only as a colleague in the Senate, but also as a personal friend. S. 3769 is another example of the genius of this man in bringing out a most complex bill with unanimous bipartisan support. All of us owe a great debt of gratitude to the distinguished senior Senator from Oregon for his tenacious dedication and untiring efforts in behalf of our college students, their parents, and

the colleges and universities of this country.

I wish also to pay tribute and to express my gratitude to the ranking majority member of the subcommittee, the distinguished Senator from Texas [Mr. YARBOROUGH], to the ranking Republican on the committee, the distinguished Senator from New York [Mr. JAVITS]; to the distinguished Senator from Colorado [Mr. DOMINICK]; and to the distinguished Senator from California [Mr. MURPHY] for their many and valuable contributions and yeoman services in behalf of this legislation.

The bill represents the efforts, talents and contributions of every member of the subcommittee.

Mr. President, I shall not dwell at length on the details of this legislation, but I will highlight for the Senate some of the issues that I believe to be of utmost importance.

I cannot say that I feel it is a perfect bill; our economic situation in this country prevents its being perfect. But it is certainly a far better measure than the original version, S. 3098, submitted by the administration.

In addition to the brief outline I presented earlier, the bill would extend the concept of advance or forward funding to the higher education programs. The Senate will remember that 2 years ago I proposed, as an amendment to the Elementary and Secondary Education Act, contract authority for the Commissioner of Education to obligate Federal funds to local school districts whenever appropriations were not available on a certain specific date.

Unfortunately, the amendment was defeated and local schools last year were faced with not only a serious delay, but in many instances, disastrous curtailments in their Federal allotments to carry out programs that had been previously budgeted some 6 months earlier.

Last year I again authored the advance funding principle, and it is now a part of the Elementary and Secondary Act. It allows appropriations for the Elementary and Secondary Education Act to be included in the appropriation legislation for the fiscal year preceding the fiscal year for which they would be made available.

Colleges and universities, like the elementary and secondary schools, will now know in advance of their planning period what funds will be available so that they will be able to budget their needs to utilize the Federal funds in a more advantageous and expeditious manner. The bill would further provide for the authorization of funds for program planning and evaluation and would require evaluation reports.

Further recommendations of major importance to us this afternoon are contained in title II of the bill pertaining to the student assistance programs. Personally, I cannot think of any more important program than one which affords students an opportunity to pursue a college education. Title II proposes some immediate and necessary changes in the guaranteed student loan program. This program provides long-term, low-interest loans to college students which are

obtained from banks, credit unions, savings and loan associations, pension funds, and other lenders. Federal interest benefits are paid on behalf of the student, and the lenders are guaranteed against default, either by a State, non-profit loan, guarantee agency or by the Federal Government. Despite its beginning in a tight money market, and other problems involved in getting the program underway, an estimated 1 million students have been able to obtain loans.

Mr. President, this year marks the 10th anniversary of the National Defense Education Act, which was enacted during the Eisenhower administration. During the past decade, additional student aid programs have been established with the result that today there is a comprehensive federally assisted package of student assistance made up of loans, direct-study grants, and work-study grants.

Today, approximately 2,200 colleges and universities are participating in these student aid programs. The dollar amount of funds provided to students has increased from \$59 million in loans in the first 4 years of the National Defense Education Act loan program, to over \$1.8 billion in fiscal year 1968. This was accomplished through three programs: NDEA loans, student employment, and educational opportunity grants.

Of more recent establishment is the guaranteed student loan program to which I referred earlier. Under it, over \$800,000,000 in guaranteed student loans have been made from the inception of the program in November 1965 to June 30, 1968.

In fiscal year 1965, 1,500 schools employed 115,000 students in work-study programs, and in calendar year 1968, 1,700 institutions provided work for an estimated 310,000 students.

Mr. President, student assistance is one of the most valuable and sensible investments we can make in our youth of this Nation. The money that is spent to provide a young man or woman with a college education is money spent on behalf of the Nation. It benefits all of us.

Yet, despite great progress, one of our greatest domestic problems today is the mounting costs of financing higher education. Our various programs have done much to relieve the financial burden, and S. 3769 promises to make these programs even more efficient and effective. But the cost of higher education is increasing at a frightening rate. The Office of Education estimates that the average cost of a year of higher education in 1966-67 ranged from \$1,102 for students attending community colleges and living at home to \$3,360 for students attending high-cost private colleges. In 1956, there were 2.8 million college students. By 1966, there were 6 million. In 1956, operating costs of the American colleges and universities totaled \$4.2 billion a year. By 1966, the cost had risen to \$15 billion. That is to say that, while enrollment had doubled, the cost had almost quadrupled.

To parents of the lower- and middle-income groups, and even to parents of high income with several children, these increasing costs all too often prevent

them from putting an able and deserving child through school. For those children in the lower-income group, the cost of college is totally prohibitive. Almost half of the enrollment in the American colleges today comes from the top one-fourth of the economic ladder with family incomes over \$10,000. Fewer than 7 percent come from the poorest one-fourth. Last year, I addressed this body in calling for a fresh new approach to study the means of financing higher education. At that time I asked for a study of a proposal which would provide a student an education fund in such amounts as would be necessary to finance his education, with repayment to be made through the addition of a specified percentage to his Federal income tax rate during his productive, earning years.

Under the plan, the college student would borrow funds from a private, non-profit, federally chartered education bank. The student would repay the loan after graduation. It would be a kind of social security in reverse. That is, the benefits would come first, then the repayment. A sort of learn now, pay later plan; and strictly voluntary, let me hasten to add.

Several days ago I was flattered when the leading candidate of the other party for the presidential nomination, according to the number of delegates pledged to his candidacy, if we are to believe the newspaper polls, suggested this very same approach which I discussed on September 3 of last year.

I am pleased to report that the committee is very much aware of the mounting problem and has declared itself in favor of a fresh initiative toward the financing of higher education. The bill recommends that a National Study Commission be appointed by the President to conduct a study of alternative plans for providing financial assistance to students and institutions of higher education, with the hope that universal educational opportunities at the postsecondary level might be made available through governmental assistance for all ambitious young men and women.

In short, Mr. President, the pattern of currently available Government and private assistance for higher education, valuable as that assistance is, leaves much to be desired. It tends to leave out a large number of students and parents.

These people—blue-collar and white-collar wage earners and salaried employees—work hard for their money and they pay a larger share of their income than any group of Federal income taxpayers. Often they must struggle to buy homes and pay their bills with what is left over. If one of those bills is for college expenses, it may well amount to \$2,500 or more a year for tuition, books, supplies, and other expenses. That amounts to \$10,000 for each student who earns a bachelor's degree, and generally is out of reach even for parents with two or three children and yearly income running between \$10,000 and \$15,000.

The National Study Commission is a logical and important next step toward a more complete and equitable system of promoting higher education and lim-

iting the financial burdens involved to what each individual and family can reasonably be expected to endure.

I would like to address myself briefly to two amendments which I had the privilege of sponsoring, relating to loans made under the National Defense Education Act of 1958 and the Higher Education Act of 1965. One of these would extend forgiveness of student loans to those borrowers who elect to teach in hard-core, low-income schools. This proposal would allow either a National Defense Education Act borrower or one who has taken out a loan under the guaranteed student loan program, who teaches in a poverty school, a loan forgiveness allowance of 20 percent per year for up to 5 years. This provides a 10-percent cancellation of his indebtedness in just that period of time. Since 1959, Mr. President, through the end of fiscal 1966, over 142,000 borrowers engaged in teaching had canceled all or part of their loan principal under the national defense student loan program. By extending similar provisions to prospective teachers under the guaranteed loan program, any inequities caused by the existence of a forgiveness provision under only one loan program are removed. Thus, this forgiveness function becomes an incentive for young college graduates to teach in areas of vital need.

Mr. MORSE. Mr. President, will the Senator yield at that point?

Mr. PROUTY. Yes; I am happy to yield.

Mr. MORSE. I want particularly to stress what the Senator has said. I do not know whether or not he was on the floor when the Senator from Ohio [Mr. LAUSCHE] asked me, as manager of the bill, to discuss the forgiveness feature that we have in title II of the bill. I explained to him, very briefly, the purpose of it; but I want the RECORD to show that, as I said earlier, as I talked about the contribution of the Senator from Vermont, the students of this country, and the student veterans, are indebted to the Senator from Vermont for the work he has done on the forgiveness section of this bill, not only in the field of handicapped children, and the work-study program, and the cooperative education program, but also in connection with the matter of the forgiveness section. The students of the country owe the Senator from Vermont a great debt of gratitude.

Mr. PROUTY. I am very grateful to the Senator from Oregon. I want to reiterate what I said earlier, that without the support and the leadership of the distinguished Senator from Oregon, the educational facilities and programs in this country would not be nearly as extensive and worthwhile as they are at the present time.

Mr. MORSE. The Senator is very kind.

Mr. PROUTY. The other proposal would extend complete loan forgiveness for a college student who leaves the classroom to take up arms for our country. The loan would be forgiven at the rate of 25 percent for each year of service.

It would give a student who had gone into debt for his education and then en-

tered the armed services a helping hand in repaying that obligation.

Part E of title II contains the cooperation work study programs sponsored by two long-time friends of higher education. In the bipartisan sponsorship, the senior Senator from Indiana [Mr. HARTKE] and the senior Senator from California [Mr. KUCHEL] have acknowledged that the social problems of our time cannot be solved by old formulas and old truths. They propose, and the committee enthusiastically recommended, that programs be made available to enable colleges to set up work study cooperative education in which students go to college and alternate between classroom study and off-campus work on jobs related to their academic interests.

For my part, I have endorsed this concept in legislation. I have sponsored with the distinguished junior Senator from California [Mr. MURPHY], a similar proposal for our vocational education students which I shall discuss in greater depth during our deliberations on the Vocational Education Act amendments. The value of work-study cooperative education is that it affords an opportunity for youngsters to avail themselves of a higher education at little or no cost to the Federal Government. Titles III, IV, and V in the bill contain amendments to existing Higher Education Acts which were recommended by the administration and by witnesses appearing before the committee. Also included are perfecting and substantive amendments that emanated from members of the committee.

I was privileged to have sponsored an amendment to the Education Professions Development Act. Senators will recall that last year we revised and consolidated the teacher institute programs under the National Defense Education Act and incorporated them in to a new section under title V of the Higher Education Act of 1965. Title V is now known as the Education Professions Development Act.

My amendment would establish a minimum level of appropriations for each State under part B-2 of the 1967 act which assists local school districts. It provides grants to the State education departments to aid the local school's efforts to, first, attract persons qualified to teach but who have been engaged in other pursuits and provide them with short-term training; and, second, recruits trained teacher aides.

Title VI of the bill contains new programs which were submitted by the administration. They include networks for knowledge, public service education, and improvement of graduate programs.

The networks for knowledge authorizes the initiation of a new program of grants to stimulate colleges and universities to share their technical and other educational and administrative facilities and resources.

The Commissioner of Education would be authorized to make grants to institutions of higher education to support the planning and operation of such sharing agreements.

Education for the public service authorizes the start of another new program to prepare graduate or professional

students to enter the public service. Fellowships would be awarded to enter the public service. Fellowships would be awarded on the graduate level to young men and women preparing for careers in Federal, State, or local government.

The third new program is aimed at broadening and strengthening high-quality doctoral programs in the Nation. It is designed for those institutions with already established doctoral programs not generally as well known as the top doctoral producers of the country, but with a demonstrated capacity for high-quality work in a limited range of fields.

I am convinced that these proposals are investments which will pay for themselves in terms of preparing for society young persons properly oriented for teaching professions. The concepts that are embodied are good. They would greatly strengthen our efforts toward attracting and educating more men and women for careers in education at every level from preschool through graduate school.

As one of the original supporters of the National Defense Education Act and every major education act under discussion today, I have long sought ways to improve educational opportunities, and I welcome this opportunity to give my endorsement to the bill presently under discussion.

Before closing my discussion, I should like to take this opportunity to sincerely thank and commend the members of the staff of the education subcommittee who unselfishly devoted many long hours and much of their own time in the preparation of this bill. As always, I am indeed grateful to Jack Forsythe, Charles Lee, Richard Smith, Roy Millenson, and Arthur Dufresne of my staff for their many services and continued excellent efforts in making this bill possible. I wish to publicly welcome Richard Smith to the committee, and I congratulate our distinguished chairman for affording us the services of such a knowledgeable and competent staff member.

All in all, Mr. President, it is just such a staff, majority and minority working together, that enable us as Senators to recognize urgent current needs and devise programs to meet those needs.

Mr. MORSE. Mr. President, I should like to take just a moment to direct a word to the Department of Health, Education, and Welfare, a word which I think is very appropriate following Senator PROUTY's speech; for the making of legislative history in the consideration of a major bill as it goes through the Senate is of great importance, and as manager of the bill, I want this RECORD to show that I now associate myself with every explanatory statement and every interpretive comment that the Senator from Vermont has made about this bill, for he has set forth, accurately, the legislative intent of the committee, and the manager of the bill shares that legislative intent.

I do that, may I say to the Senator, because it makes it possible for us to save a great deal of time also; and I do not know how the intent of this bill could be expressed any more clearly with regard to the items which the Senator from

Vermont discussed than it has been by the Senator. I therefore incorporate his statements on the meaning of the bill as a part of my remarks as manager of the bill, and I thank him very much.

Mr. PROUTY. I am very grateful to the distinguished Senator.

Mr. MORSE. Mr. President, I yield to the Senator from Rhode Island.

Mr. PELL. Mr. President, I commend the Senator from Oregon for the outstanding leadership he has shown in his handling of the measure under consideration. We are lucky to have as chairman of the Education Subcommittee a Senator with such a devoted interest in education and with such deep understanding of our educational system. There is not a Federal education program in existence that has not felt the beneficial influence of the Education Subcommittee under his leadership.

The Senator has always been most helpful and cooperative when education measures are before us, and I would like to ask his indulgence now to discuss very briefly another important education measure even though the bill is not now before us. I refer to the sea-grant college program. I know the Senator, coming from a great coastal State, shares my intense interest in this program.

Mr. MORSE. First let me say to the Senator from Rhode Island that I appreciate his comments, but I repeat that in connection with this bill, as I have said so many times before, the bill comes to the Senate with the unanimous vote of our full committee. Every member of the committee deserves full credit for bringing the bill to the floor of the Senate.

With respect to the sea-grant college program, the Senator is correct; I am very much interested in it. The sea-grant college program is playing an important role in providing for the education of the marine scientists and technicians that are needed to expand our knowledge of the seas and increase our ability to use the resources of the oceans. The Senator from Rhode Island, I know, has a unique interest in the sea-grant college program both as the author of the act and as the chairman of the special subcommittee that considered the initial authorization 2 years ago.

I commend the Senator for the contribution he has made to the educational processes of our country by authoring this bill in the first place. As he knows, I heartily endorsed it; and I am very glad that he has carried it through to its present status.

Mr. PELL. I thank the Senator very much. As he has stated, the sea-grant college program originated in the Labor and Public Welfare Committee, and I might add that the Senator's counsel and advice were most helpful in shaping the act finally approved by Congress and signed by the President. Present concern is with legislation to extend the program's legislative authorization which expired on June 30. As the Senator from Oregon knows, the other body approved a bill, H.R. 13781, extending the authorization for 2 years. The bill was reported to the Senate last week by the distinguished chairman of the

Senate Commerce Committee, with the understanding that the bill would be referred to the Committee on Labor and Public Welfare.

There is no question, of course, that it lies within the province of the Committee on Labor and Public Welfare to review this measure. The great bulk of the funds appropriated for the program are channeled into matching grants for institutions of higher education.

I am very much concerned, however, whether, with the current goal for adjournment of the Congress, adequate time remains for a further thorough and meaningful review of this legislation by the committee.

I know that within the Committee on Commerce there has been discussion in depth on this measure, and the chairman of the Committee on Commerce was most gracious in permitting me to make a statement at his committee hearing strongly supporting increased authorizations, which I think may have helped to increase somewhat the authorization figures the House of Representatives approved.

I should like to see the authorizations substantially increased. I should like to see them go up to \$20 million, and \$25 million for fiscal 1970. I realize, however, that this is a dream, with the budget and the mood of Congress such as it is. For that reason, I doubt whether further increases could be achieved. I know that the Education Subcommittee and its chairman are extremely hard working and never shrink from additional legislative assignments, but I wonder, in view of the imperative nature of the legislation and the legislative schedule, if the Senator would consider it expedient to forgo a formal review of the authorization renewal this year.

Mr. MORSE. Mr. President, the important thing is to get authorization continued. It is my understanding that the legislation in question simply extends the appropriations authority for the sea-grant college program without modifying the program in any way. This does not prevent us, next January, from scheduling early hearings with regard to the program for the sea-grant college program. May I say that if I am here after the election in November—and I hope to be and would be less than honest if I did not say that I have reasonable expectations of that—I shall schedule early hearings with regard to the program.

Mr. PELL. I share both the Senator's hope and his expectation.

Mr. MORSE. As chairman of the full committee at that time, I shall schedule very early hearings on any proposals that the Senator from Rhode Island, who was the author of the program in the first place, makes before the full committee.

Mr. PELL. I thank the Senator. The Senator is correct. The only question involved here is the level of appropriations to be authorized. As I have said, I am glad that the Commerce Committee, in reporting the bill, recommended a moderate increase in the authorization above the rather meager features approved by the other body. A great debt

of gratitude is owed to the distinguished Senator from Washington [Mr. MAGNUSON], who has contributed so much to oceanography.

As I stated earlier, the distinguished senior Senator from Washington, the chairman of the Commerce Committee, conducted an excellent hearing on the bill, at which I was privileged to testify. The generous support for this program demonstrated by the chairman of the Commerce Committee was most gratifying to me, particularly in view of his eminent and distinguished leadership in marine science affairs.

Mr. MORSE. Mr. President, I share the admiration of the Senator from Rhode Island for the distinguished Senator from Washington [Mr. MAGNUSON].

If any substantive changes in the program are contemplated in the legislation, I would consider a review by the Education Subcommittee to be imperative. But, considering the limited scope of the bill and the necessity for prompt action and the uncertainties of the legislative schedule, I would agree that a formal review may be dispensed with at this time. However, let the Record make perfectly clear with respect to the appropriation proposal that comes out of the Commerce Committee, that the Senator from Rhode Island and the Senator from Oregon and, I am sure, all other members of the committee will go along with the appropriations requested; but, we do not relinquish, in the slightest degree, the jurisdiction of the Committee on Labor and Public Welfare over the Sea-Grant College Act. Let me also say, quite frankly, that we are not going to yield jurisdiction in regard to many other education programs which also involve other activities in the country or other departments of the Government, whether it be State, Commerce, Labor, or any other.

We have to retain in the Senate of the United States a single jurisdiction over all education programs, which is within the jurisdiction of the Committee on Labor and Public Welfare.

I find nothing involved in the proposal that the Senator from Rhode Island makes that in any way endangers the jurisdiction or relinquishes the jurisdiction of the Committee on Labor and Public Welfare because no substantive changes are proposed, as I understand the Senator from Rhode Island, in the sea-grant college program.

Mr. PELL. I thank the Senator. We should also bear in mind that our committee has legislative oversight over the National Science Foundation, which is the umbrella under which the program has been placed.

I have been a little disappointed at what I consider to be a lack of full support, a lack of funding, and the lack of emphasis that has been given the sea-grant college program in the National Science Foundation.

The question of whether the program will remain in the Foundation permanently or will move into another agency will be decided by the Congress after the recommendations of the Presidential Commission on Marine Science Affairs is received. However, for the time being, I

think it is very important that we watch the program closely and make sure that it is not treated as a stepchild within the National Science Foundation.

When it comes to appropriations, the sea-grant college program does not enjoy the position of being a line item. The program is left to the tender mercies of the administrative people. It is up to us in Congress to keep a close check on this.

I thank at this point the distinguished senior Senator from Oregon, who is always most cooperative and helpful and has, as always, kept uppermost in his mind the interests of the entire Senate.

Mr. MORSE. Mr. President, the whole committee is indebted to the Senator from Rhode Island. I hope the Senator will take note of my suggestion that early in the next session of Congress, we go ahead to consider substantive changes and move toward enlarging the program.

I agree with the Senator that the program needs to be expanded. Much more money is needed. We are dealing here with really a great resource for future generations of Americans 25, 50, and 75 years from now that will be very vital in many maritime aspects, but I mention only one: the matter of food supply. As our food experts have already testified, it will not be so many decades before a very large percentage of the food supply that the American people are going to need will come from the sea.

Mr. PELL. Mr. President, I would like to leave the Senator with the thought that the potential benefits of agriculture and fish-farming, as he suggests, are tremendous. This country is preeminent in agriculture, largely because of the Land-Grant College Act, and that act was passed in the middle of the Civil War when fiscal problems were just as difficult as they are today.

I think it would be a mistake now, when the budget is tight, to be content to give a niggardly few million dollars to the sea-grant college program, when the potential benefits can be so clearly seen in the precedent of the land-grant college system in agriculture.

Mr. MORSE. Mr. President, I completely agree. I was going to call for a quorum, but I will yield shortly to the Senator from Texas.

We are about ready to proceed with any amendments that may be offered to the pending bill. I therefore suggest that the staff notify the Senator from Pennsylvania [Mr. CLARK], the Senator from Illinois [Mr. DIRKSEN] of that fact, and I would then like to have the Senator from Colorado [Mr. DOMINICK] notified so that we can have a discussion on title XII of the bill in order to work out whatever modifications may seem to be desirable after that discussion in regard to title XII.

I also think the staff members of other Senators who know their Senators plan to offer amendments—and I have not been notified of any amendments other than from the Senators I have just mentioned—ought to be notified, so we can proceed with the amendments and get to third reading.

The majority leader shares my hope that we can dispose of the pending bill at a reasonable time this afternoon.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. YARBOROUGH. Mr. President, I desire to comment on some sections of the higher education bill. First, I pay tribute to the distinguished senior Senator from Oregon because the pending bill is a tribute to his legislative genius.

It had been proposed that all educational acts be rolled into one. However, because of the legislative genius of the distinguished senior Senator from Oregon, who saw that it would be more feasible to place them in the higher education amendments and the vocational education amendments, this was done.

These eight tremendous volumes that we see stacked on our desks before us are hearings that reach some 15 inches high and embrace some 6,584 pages. These volumes are evidence of the patience with which the Senator from Oregon conducted these hearings, his willingness to hear everybody and every idea.

The pending bill, S. 3769, which receives the benefit of more than 6,500 pages here, is one of the monumental bills of this session of Congress. And without the legislative leadership of the distinguished senior Senator from Oregon and without his ability to bring people together, this would not have been possible.

There were widely divergent views among the members of the Education Subcommittee and the full Committee on Labor and Public Welfare.

I think the expertise of the senior Senator from Oregon gained through his hearings in the War Labor Board in World War II when he had to bring together the militant groups on each side of labor and management to keep the war effort going smoothly and the fact that he was the dean of a great law school, the University of Oregon, and knows not only the problems of the teacher at a university, but also the problems of an administrator in a great American university, is responsible for this accomplishment.

All that experience came to the fore. His leadership of many years in the Senate came to the fore. His ability in beating out a good bill on the anvil of experience helped to bring people together to agree on a bill which had the support of all the members of the committee. It is a tribute to his capability and to the many facets of his understanding of higher education that this idea for an improved and developing higher education in America has been brought to the floor of the Senate and will be brought, finally, into the classrooms of the 2,300 colleges of America.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. MORSE. Mr. President, I appreciate the generous remarks of the distinguished Senator from Texas, but the greatest mediator on my committee happens to be the Senator from Texas. The Senator from Texas has resolved difference after difference that has developed within the committee with his proposals.

What I really rose to say—I do not wish to repeat what I said earlier, but I

will keep on saying it so long as anyone seeks to give me undue credit—is that the credit for this bill goes to the committee, because we all did it together. The Senator from Texas contributed many sections of the bill, various programs in the bill.

I well remember what the Senator from Texas did, for example, with respect to the student assistance programs in this bill and his battling for NDEA.

Mr. President, there was a movement afoot early this year, in my judgment—I give my interpretation—to emasculate NDEA; and I believe that the man who stopped that movement cold was the Senator from Texas. I never will forget the session of the Senate in which he not only discussed the history of NDEA but also pointed out what he thought was afoot in regard to certain forces that sought to emasculate it, and what it would do to the young men and women from the poverty-stricken areas of this country, the young men and women who could not go in with any credit, who would be confronted by the money lenders, no matter what the desire of the latter to help them. Their chief responsibility was to the stockholders of the financial institution they headed, and they would have to say to these young men and women, "If you cannot supply us with the credit credentials, we cannot make the loans."

It was the Senator from Texas who insisted that we give protection to these young men and women who come from low-income families.

Furthermore, it was the Senator from Texas who made very clear that great responsibility should be vested in the institutions themselves, the universities and the colleges themselves, to help administer this program and see to it that these young men and women could get the loans.

I could mention many other things that the Senator from Texas has contributed. If that were all that the Senator did—and it is only a small part of what he did—every student in this country should be forever grateful to him for his contribution.

I thank the Senator for his comments about me, but I stand here proud of the committee, for it was the committee that did the job for me.

Mr. YARBOROUGH. Mr. President, I believe that the generous statements made by the Senator from Oregon illustrate why he is such a capable leader of our committee. He gives the other members of the committee too much credit. He is very modest. He said the committee did it, but hour after hour, day after day, he would be at the hearings, and the testimony of no witness was too long for him to listen to patiently. Without his patience, his consideration of every member of the committee, and his sound support, we could not, in my opinion, have preserved the NDEA loan provisions.

Many movements were afoot to abolish it and to put it in the jurisdiction of private lending institutions. I believe the best judge of who should go to college is the educational community of America, rather than the money-lending community of America. The Senator from

Oregon gave us strong support, so that we were able to preserve in the bill the national defense education loan part of NDEA and also other portions of NDEA that people tried to emasculate and carve up into little pieces and hide in other bills, so that they would gradually wither on the vine. There, too, his legislative expertise and his consideration came to the fore. He digs to the bottom to see whether an idea is sound.

So I come here with pride in the accomplishments of this committee. With his driving leadership, his conciliatory leadership, and his basic wisdom, the Senator from Oregon ultimately came to the right decision on conflicts and sold that decision to the committee.

Mr. President, the Higher Education Amendments of 1968 now before the Senate are the fruit of intensive and lengthy hearings, discussions, and conferences with all segments of the college and university community. The approximately 6,580 pages of the record of the hearings represent the distilled ideas, wisdom, and thoughts of people who have given most of their lives to American education.

The bill represents sweeping improvements in the services which the Government can offer academia and, more important, the mechanism whereby Congress can evaluate its proper role vis-à-vis higher education.

These amendments contain many substantial suggestions made by my colleagues on the Republican side of the aisle as well as the contributions of the chairman, the Senator from Oregon [Mr. MORSE], and the majority members of the committee. All members of the committee made some suggestions—the majority and minority members—but led by the able chairman.

I am proud to associate myself with the proposed legislation; all the more so because several provisions in it found their genesis in suggestions I made before the committee. I did not invent them out of the clear blue sky. They have been suggested to me by facets of the educational community of America. Some of the items I have advocated for years.

Perhaps the most fundamental and important of these is contained in section 251—setting up the Universal Educational Opportunity Commission, an amendment I offered on the floor of the Senate early last September, which students of legislation have told me was the first bill offered in Congress for free universal higher education in America. It was my feeling then, as it is now, that it is time that America took a fresh look at postsecondary education—the benefits it confers and the costs it exacts—and time to decide whether our current system of financing it is obsolescent, inadequate, and inequitable.

Mr. President, students in America pay the highest tuition fees in the world, except for Canada. Three nations have universal higher education free—Norway, Denmark, and Sweden. The Canton of Geneva, Switzerland, last year voted not only free higher education to students but also a payment of \$70 a month while in college and \$140 a month if they

were in medical or other professional schools.

We have asked in section 251 for a study of the how and wherefore of higher education.

In the 1968-69 school year, tuition and fees at public college or university are more than \$300—they reach now toward \$600 a year; at a private higher educational institution, more than \$1,000—between \$1,600 and \$1,700 a year. The total cost of attending college—tuition, fees, books, room, board, transportation, clothing, miscellaneous—is in the neighborhood of \$1,700 per year at a public college, \$2,640 at a private college.

The projections for 1980-81, for total costs of attending college, are \$2,400 for public institutions, \$3,600 for private institutions. In the 10 years from 1956-66, student charges went up 80 percent—even though the cost of living increased only 17 percent.

I question whether a student or his family should have to go into long-term debt to cover the expense of what, in the long run, turns out to be a benefit to all of society.

As President Kennedy stated in his message to Congress in February 1962:

The education of our people is a national investment. It yields tangible returns in economic growth, and improved citizenry, and higher standards of living. But even more importantly, free men and women value education as personal experience and opportunity—as a basic benefit of a free and democratic civilization. It is our responsibility to do whatever needs to be done to make this opportunity available to all and to make it of the highest possible quality.

Mr. President, we had a long fight in Congress for years to pass the cold war GI bill. The distinguished Senator from Oregon was in the forefront of that fight with us. I remember one fight on the floor of the Senate when an amendment was offered to turn GI bill payments into loans. The late Senator Kerr, of Oklahoma, said, "You will hang the three balls of the pawnshop over the head of every GI coming out of college and it would be an impediment to the future of GI's."

As Dean Silber, who is dean of the College of Arts and Sciences of the University of Texas testified, it is not this generation we are impoverishing when we make them come out of college burdened by debts; it is the next generation. It is time we reevaluated our educational program to make it possible for every American to go to college.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. MORSE. Mr. President, I do not propose to let the Senator from Texas discuss the GI bill for veterans and mention any other person who did more than the author of the legislation, the distinguished Senator from Texas. He knows the battle he fought in leading our committee to a successful culmination, after the administration for 2 years opposed the bill. He was opposed by the Pentagon, the Veterans' Administration, and the White House in connection with the GI bill.

What was one of the major arguments that they used against the Senator from

Texas, which he eloquently rebutted on the floor of the Senate? It was said that the bill would discourage reenlistments. It was said it might discourage reenlistment. Just think, what a basis on which to oppose giving educational rights to these men who are making the great sacrifices they are making for us on the field of battle and in the military service of their country.

It was the Senator from Texas who drove through that camouflaged argument and presented argument after argument which caused the Congress finally to adopt that GI bill to the benefit of the increasing hundreds of thousands of young men, and young women who are in the military service, provided for by the Yarborough bill.

Mr. YARBOROUGH. I thank the distinguished Senator from Oregon. The manager of the bill and other Senators know that when you have the opposition of the Pentagon, the Veterans' Administration, the Bureau of the Budget, and the White House, no Member of this body, no matter how powerful, could alone obtain passage of a bill. I had the aid of the distinguished Senator from Oregon and the aid of Senators across the aisle. It took a coalition of Senators of both parties. That was a legislative achievement and to those persons who say the Congress is a rubberstamp, the cold war GI bill demonstrates that Congress is not a rubberstamp. I see the able Senator from Tennessee in the Chamber. He was an able champion of that bill.

This is something Congress has a right to be proud of. Although I was the instrument through which the bill was offered, being chairman of the subcommittee, in order to prevail, it was necessary to have the cooperation of the Congress when there was involved the strongest opposition one can have in America, the executive department. Today there are 800,000 of those veterans in school. It took 8 years to pass that bill, but finally it was passed. It is too late for some veterans, but 800,000 veterans are in college today and there are more coming. I thank the chairman of the committee for his strong support.

In addition to the various systems of providing assistance to postsecondary education which are represented in this bill and in existing law, several proposals have come before the Congress and before the American people suggesting alternative methods of governmental assistance. Recognizing the need for improvement while realizing the immense complexity of the problem my amendment provides for a Presidential-appointed 11-member Commission to conduct an intensive study of alternative means of financing postsecondary education in America and to report back to the President and Congress within 18 months.

Additionally, I call the attention of my colleagues to section 322, which adds to the developing institutions provisions of the Higher Education Act a new program called professors emeritus. This addition, which received wide acceptance and acclaim from the time I introduced it early this session will make possible a union of interests between developing educational institutions which need

competent faculty and professors who, merely because of age, face compulsory retirement from a developed institution. The amendment makes available to developing institutions the talent and experience of qualified faculty who have reached compulsory retirement age at a developed institution, but who are not eager to retire and would welcome the opportunity to teach and pursue research at a developing institution.

I view it as ironic that the students of developing institutions should go begging for qualified faculty while hundreds of experienced and productive teachers annually are forced into a frustrating retirement. On the one hand, there is a challenging job in search of a qualified employee. On the other hand, there is a qualified employee wanting a challenging job. Simply stated, the amendment provides the mechanism to get the two together for the mutual advantage of both, with society receiving the ultimate benefit of the alliance.

This proposal is long overdue. It has had universal acceptance. I offered the amendment and we immediately began to hear from people in this category.

Some universities require members of the faculty to retire at age 62 or age 65, and other universities require members of the faculty to retire at varying ages in their sixties. It is said that some teachers never reach better teaching competence than they do at that age.

The dean of one of the great universities in Massachusetts told us, "I am going to reach the age of 65 years after next. I do not feel I should go into retirement but it is compulsory. If this bill passes I would be willing to go to a small or weak institution to help build up its faculty."

Some people ask why they do not go now. Mr. President, can you imagine a professor who has been forced into retirement asking a small or weak university to employ him? We need this provision in order that it may be done in dignity.

I have had letters from the presidents of nearly every primarily Negro university in my State who are in favor of the passage of this provision. There are many junior colleges, for instance, where retired professors could make a great contribution. There are many junior colleges which are short of teacher personnel. But these distinguished and known leaders cannot go around, hat in hand, and say, "Will you hire me?" However, if we had this agency of Government which could say, "You have been asked for over here," they could go in with a status that would not pull down their dignity.

I do not mean to limit my statements to primarily Negro universities. There are many small, predominantly white universities that are in the same situation. Professors could go into junior colleges and small colleges and be of tremendous assistance.

This is the best place to get the best brains of America. What would we think of forcing the retirement of Senators at age 62 or age 65? We would have a great many seats that are empty. I can look around the Chamber and see great leaders who have passed the age of 62 or 65.

Mr. President, these amendments are too small, but far-reaching parts of this forward-looking legislation. I urge their favorable consideration by the Senate and their speedy adoption.

There are other provisions I worked on, but in the interest of time I will not discuss those fully.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point certain paragraphs I have marked from part 1 of the hearings last paragraph, page 1, and the first five paragraphs of page 2, and paragraphs 1, 2, 3, 4, 5, 6 of page 3.

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

Nearly 200 years ago our Founding Fathers, contemplating a society which would do away with title and nobility, referred to the concept of "an aristocracy of achievement arising out of a democracy of opportunity." Two hundred years have passed and because of our failure to institute that "democracy of opportunity," our aristocracy of achievement arises out of a plutocracy of opportunity; in other words, those who achieve in our society do so not just because of ability alone, but also because they have the money to pay for education.

I might add here that the dean of one of the schools of one of the great universities told me after one of these hearings in the last 3 or 4 years that some of the trouble he had seen was that the people in the schools and the colleges are the people with money to go there.

College opportunity is not equated with brain power, but with money power.

Most of us who are parents and have sent our children to college are familiar with the letter home, the letter asking for more money. Times have changed, but the letter home has not. Back in 1829 Charles Kent, a student at Ohio University, wrote this letter:

I shall want about three dollars more before the session is out. I have laid out for expenses on the road, for lodging the first night at Athens, for a trunk, chair, quire paper, pen-knife, quills, Latin tutor, Walsh's arithmetic, slate, hire for bed, college tuition, entrances into society . . . and I have several other necessities, which I will present in a bill of my expenses . . . and things are so dear that such articles run up to quite a sum. What I have laid out altogether amounts to about \$22, and I have yet wood, candles, and some other little affairs to get. I shall endeavor to be as parsimonious as possible . . .

That letter, written 139 years ago, contained assurances that the student would do his best to hold his total yearly expenses down to about \$50.

In the 10 years from 1956 to 1966, student charges went up 80 percent, even though the cost of living during that same period of time increased only 17 percent.

The statistics, astounding statistics, go on and on. I am confident that by the time we have concluded hearings on S. 3098, there will be little doubt in the minds of the members of this committee that we are facing a true crisis in financing higher education.

I am referring here only to the student part of it. It is also true, as you know, in all other parts of higher education, it is our responsibility to decide how we shall go about meeting this crisis. Toward that end, it is my hope that during these hearings we will examine not only the cut-and-dried matters of authorization and appropriation amounts, interest rates and service charges, but the more fundamental and philosophical issues of what a higher education means both to

the individual and to his society, and what implications that meaning has for how we go about meeting the rising costs of education.

For instance, under the World War II and Korean war GI bills, this country invested more than \$15 billion in the education of her veterans. We paid for tuition, for books, for fees, and we provided a cost-of-living allowance, too. That \$15 billion investment, and I underline the word "investment," has already been repaid to society in the form of increased tax payments resulting from higher paying jobs—without even counting what that GI has done for himself, his family, and the whole economy.

It is estimated that over the course of the earning lifetimes of the individuals who benefited from these GI bills more than \$45 billion will be paid back to the Government, a 300-percent return on the dollar. And that doesn't count the greater returns to society.

I anticipate that we will experience the same kind of result under the cold war GI bill and I suggest that these bills have particular relevance in our discussions concerning title IV of the Higher Education Act amendments.

Mr. MORSE. Mr. President, will the Senator from Texas yield?

Mr. YARBOROUGH. I yield.

Mr. MORSE. There are two comments I wish to make. First, the Senator from Texas is the author of the professor emeritus section of the bill which I think is one of the great aids to the colleges he has outlined.

I would not want to offend any law school in this country, but I am not going to run away from the fact that, in my judgment, probably the greatest law faculty in the United States today does not happen to be in the great schools of law in this country which are usually mentioned when we think about great legal education.

From the standpoint of ability and authoritative standing, the Hastings Law School in San Francisco, Calif., would be hard to duplicate. It is now an adjunct of the University of California, whose retirement policies do not apply to the Hastings Law School across the bay from Berkeley. Interestingly enough, the former dean of the University of California Law School is now on the faculty of Hastings Law School, which law school has had a faculty for many years composed of retired legal authorities who have taught in other law schools.

It includes my old dean who, I think, is unequalled in his knowledge of property law in this country, Dean Everett Fraser, of the University of Minnesota, the father of Representative FRASER in this Congress; and Ed Morgan, of Harvard—no one questions that he is the greatest authority on the law of evidence; and Ed Arno, of Illinois, on constitutional and criminal law, and Kidd, of Standard, and McClintic on the subject of equity.

Mr. YARBOROUGH. Leon Green of Texas.

Mr. MORSE. Yes, Leon Green of Texas. He is not only one of the greatest teachers in the legal profession today, but over the past 35 years he has been one of the great scholars in his fields of law.

Well, just think what this amendment, offered by the Senator from Texas, is going to mean to universities and col-

leges, not only those particularly emphasized by the Senator from Texas, but also all universities and colleges which can make use of the continued service of these experts. I wanted to mention that.

Now I want to say, before my good friend from Alabama [Mr. HILL] leaves the Chamber—I want the Senator from Texas to know that our true leader in regard to this legislation is the chairman of the full committee of the Committee on Labor and Public Welfare, the incomparable LISTER HILL of Alabama.

Mr. President, talk about mediation and diplomacy in committee work, let me say that the Senator from Alabama is my definition of personified diplomacy, because the leadership he has rendered over these many years on this committee has been unequalled. I do not want to embarrass him, but I engage in no flattery here. I speak from my heart. I want to say that were it not for the statesmanship and leadership he has displayed for so many years of service to the Committee on Labor and Public Welfare, and serving in the Senate for 30 years, we would not have the record we have made on education legislation. He is the one, more than the rest of us combined, who should get the credit for the accomplishments we are making in the fields of education.

Mr. HILL. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I am happy to yield to the Senator from Alabama.

Mr. HILL. I want to thank the distinguished Senator from Oregon for his most generous words. Surely they could not be kinder or more generous than they are.

Let me say, that as chairman of the Subcommittee on Education of the Committee on Labor and Public Welfare, in more recent years it has been the Senator from Oregon [Mr. MORSE] who has done all the hard work. It has been because of his indefatigable efforts, his determination, and his vision which has brought us to much of this tremendously helpful legislation in the fields of education.

Mr. MORSE. The Senator is very kind to me.

Mr. YARBOROUGH. Mr. President (Mr. LAUSCHE in the chair), I join the distinguished Senator from Oregon in complimenting, thanking, and expressing the gratitude of the people of my State of Texas—and I hope of the Nation—to the distinguished Senator from Alabama [Mr. HILL], whose name will rank high in the history of the Senate.

In the days to come, I believe that any five or any 10 pictures that will be painted and hanged in the Senate corridor, of those Senators who have contributed most to their country's betterment, will necessarily include a portrait of LISTER HILL of Alabama when we look at the fields of medicine, and education, and all the other important fields in which the Senator has rendered such valuable service to his State and Nation.

As the Senator from Oregon has stated, the Senator from Alabama has been wise when it came to the staffing of committees, the help he rendered in ar-

ranging schedules so that hearings could be held, and on many other matters.

That is all part of the great accolade we are tendering to the Senator from Alabama, but we cannot overlook the great service rendered by the Senator from Oregon [Mr. MORSE]. I have never seen the Senator from Oregon cut off any man when he wanted to testify. Neither has the Senator from Alabama. In my 11 years in private conversation, in hearings, executive committee meetings, and on the floor of the Senate, I have never heard the Senator from Alabama say an unkind word about any Senator. I think that has been a factor in his great success here.

The Hastings Schools of Law, which has been so beautifully described by the Senator from Oregon, has had great law teachers. There is another great law school in this country, at the University of Texas, where Dean Leon Green was known as one of the greatest professors of the law of torts and American history for a great many years.

He was also dean of Northwestern University for a number of years, and then came back to teach at the University of Texas where he started as a young man. After he retired, Hastings hired him for 5 years and then the University of Texas realized what they had lost and brought him back. So he taught for 5 years at Hastings and then was brought back to the University of Texas where he has been teaching for an additional 15 years, after he had retired 20 years ago.

Leon Green is one of the greatest law teachers of all time in America, in my humble judgment.

Mr. HILL. I want to thank the distinguished Senator from Texas for his most kind and generous remarks. He certainly has been most gracious and most generous.

I am sure that the Senator from Oregon would agree with me that there is no man on the committee who has been more cooperative, more helpful, than the Senator from Texas in his support of education measures. He has been forthright and wonderfully helpful in this work.

Mr. YARBOROUGH. I thank our great chairman for his kind remarks.

Mr. RANDOLPH. Mr. President, I would appreciate it if the Senator from Texas would yield to me at this point.

Mr. YARBOROUGH. I yield to the distinguished Senator from West Virginia.

Mr. RANDOLPH. Mr. President, I realize the Senator from Illinois is preparing to offer an amendment, and I do not wish to detain Members of the Senate. However, I feel that the deserved compliments being expressed certainly tell the story of the leadership of the Subcommittee on Education and of the full committee. I am thinking, as expressions are given about our able chairman of the Subcommittee on Education [Mr. MORSE], how extensive was the testimony received on the subject of the higher education bill. The hearing record contains 6,500 pages of material elicited from a divergent group of experts and persons intensely interested in the subject of higher education. These hearings are not composed

merely of pages per se. They comprise creative, innovative, and challenging testimony.

I express genuine thanks for the patience and leadership of the Senator from Oregon [Mr. MORSE], and certainly for the continued guidance, from which we have all benefited, of our distinguished chairman of the full committee, LISTER HILL of Alabama. I would ask that I be permitted at this point to comment on this measure, particularly three areas of special interest to me.

It was my responsibility, for a period of 19 months, to serve as chairman of the Subcommittee on Veterans' Affairs of the Committee on Labor and Public Welfare. I continue today as a member of that subcommittee. So when I offered my amendments, to the Higher Education Act they were in the nature of a valid recognition of the members of the Armed Services of the United States. These amendments benefit those who serve in the Armed Forces.

One amendment would extend the forgiveness provision on future NDEA loans to borrowers who enter the armed services. These loans would be canceled at the rate of 25 percent for each year of service up to 100-percent cancellation of the loan. That is the first amendment.

The second amendment would enable veterans to obtain benefits of both the GI bill, for which the Senator from Texas has been an ardent and effective advocate, and also the student financial assistance under NDEA. This would not give unequal assistance to veterans, for NDEA loans are based on need.

A vital provision of this measure today—certainly of interest to West Virginians—is the retention of the current 3-percent interest rates on loans to institutions of higher learning. For what reason? For the construction of facilities which are absolutely necessary. It is imperative that funds be made available to the greatest extent possible for academic facilities. But, the administration submitted a proposal to increase the interest rate to the current average market yield of outstanding obligations of the United States. This would have had a harsh impact on those smaller institutions of learning in West Virginia as well as throughout the Nation.

Mr. MORSE. Mr. President, will the Senator yield at that point?

Mr. RANDOLPH. I am delighted to yield to the distinguished Senator from Oregon [Mr. MORSE].

Mr. MORSE. If the Senator will permit me to make this comment, I want the Senate to know that on our subcommittee the Senator from West Virginia [Mr. RANDOLPH] is our leader in handling problems of small colleges in this country. There is no one on the committee—I do not think there is anyone in the Congress—who is more expert on the problems of small colleges. He has been a trustee of Salem College in West Virginia, but he takes an interest in small colleges anywhere in the country. I just delegate to him any small college problem that comes before the committee and put him to work. He always delivers. I want to thank him not only for the amendment, but for all the contributions

he has made not only on the small college issue but on all the others. I appreciate his contributions very much.

I know the veterans—who will benefit from his persevering work in seeing to it that they are not, through inadvertence, denied the rights we give to other students—will remember him as their benefactor, and they should.

Mr. RANDOLPH. I am grateful for the complimentary remarks of the manager of the bill. Again I express appreciation to him and all the members of the subcommittee who, through their diligent work and their cooperation, brought to the floor a measure that is vital to the continued growth and welfare of our Nation.

Mr. President, this measure involves our most important resource—the education and potential of our citizenry. The Higher Education Act of 1968 and the vocational education amendments, which we will be considering later today, are a continuation and expansion of our present endeavors. Education—vocational and higher—is an area of continuous growth and development and we must endeavor to meet this challenge. It is my feeling that these two measures are a constructive step forward in meeting the varied needs of education for our citizens.

In addition to the extension and expansion of the on-going programs of student and college assistance, the Higher Education Act includes several proposals which are not new to my colleagues but are additions to our present programs. In this legislation we are endeavoring to improve graduate education, to stimulate colleges and universities to share their technical and educational facilities and resources, and to strengthen education for public service. These programs will not go into effect until fiscal year 1970 in our efforts to hold authorizations to the minimum feasible level.

The vocational education amendments, next on the Senate agenda, are indicative of the vital importance placed on training and manpower development requirements in our Nation. This legislation will allow the development of programs more responsive to the demands and needs of our citizenry, providing for State initiative in the preparation of programs and emphasis on the need of the individual. Of special significance, I believe, is the provision relating to the early education of handicapped children. I have been actively involved in programs to aid and rehabilitate the handicapped and it is gratifying to participate in this further recognition and expansion of programs to meet their needs.

Mr. President—the Higher Education Act of 1968 and the vocational education amendment—are of major importance to our country. The money which is expended and invested in the programs authorized by these measures will have an endless return. They are an intelligent investment in our most precious resource—our people.

I thank the Senator from Texas for yielding to me.

Mr. YARBOROUGH. Mr. President, I wish to join the Senator from Oregon

in thanking the Senator from West Virginia for his leadership in the small college field. The Senator from West Virginia has been on the governing boards of three small colleges, and two, and perhaps three, of them at one time. He is the only man I think I have known in my lifetime who has been on the governing boards of two or three senior colleges at a time, and he has taught in one of the departments. He is also on the Veterans' Affairs Subcommittee and, as he said, he has been chairman of it for 19 months. I thank him for the beneficial provision on veterans that was put into this bill through his leadership.

Mr. DIRKSEN. Mr. President, I offer an amendment.

The PRESIDING OFFICER. The amendment of the Senator from Illinois will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. DIRKSEN. Mr. President, I ask unanimous consent to consider the amendment as having been read.

The PRESIDING OFFICER. Without objection, further reading of the amendment will be dispensed with and the amendment will be printed in the RECORD.

The amendment is as follows:

At the end of the bill insert a new section as follows:

"REQUIREMENT WITH RESPECT TO ENFORCEMENT OF COMPULSORY ATTENDANCE LAWS"

"SEC. — (a) Effective for fiscal years beginning after the date of enactment of this Act no local educational agency may receive any financial assistance under this Act, or any Act amendment by this Act, unless such agency has certified to the Commissioner of Education, in such form as is prescribed by the Commissioner, that it is taking all appropriate steps that all laws relating to compulsory school attendance in the district of such agency are being enforced.

"(b) The Secretary of Health, Education, and Welfare shall make an investigation and study of State laws relating to compulsory school attendance for the purpose of determining what Federal action, if any, should be taken to promote minimum education requirements throughout the Nation. In carrying out such investigation and study the Secretary shall consult with appropriate Federal, State, and local officials. The Secretary shall report the results of such investigation and study, together with his recommendations, to the President and the Congress not later than July 1, 1969."

Mr. DIRKSEN. Mr. President, I have discussed this amendment with the distinguished Senator from Oregon, who is the manager of the bill, and likewise with the Senator from New York, who has carried a laboring oar in the committee.

It has occurred to me that unless we enforce the school laws of the respective States, particularly by the local education agencies, we will be working at cross purposes. What an oddity it is and how weird it seems that we spend \$5,000 or \$6,000 a year to educate or bring back to normal schooling a dropout, when all or most of that money might have been saved if the compulsory school laws had been enforced. It is a job to be done at the local level. It is a job to be done by the parents, by the local school, responsible officials, and by the truant officers.

If that is done, notwithstanding the diversity of the many laws on the books, it will save monumental sums for the whole educational system of the country.

I do not think I need say any more about it. I think my distinguished colleague from Oregon will accept the amendment, and so will my distinguished colleague from New York.

In connection with the amendment, I ask unanimous consent to have printed at this point in the RECORD a summary of findings by the Census Bureau with respect to compulsory attendance, attendance officers, and other related material.

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

MEMORANDUM

JULY 15, 1968.

To: Senator DIRKSEN.

From: Clyde Flynn.

Subject: Explanation of proposed amendments to S. 3769, the Higher Education Act and the Vocational Education Act.

An examination of the attached statistics taken from U.S. Census Bureau illustrates graphically the fact that the Compulsory School Attendance Laws of the various States are not being enforced. Attached also is a portion of the Department of HEW report, State Law on Compulsory Attendance, showing existing attendance laws in each State as well as a summary on school census and the penalties for failing to require school attendance.

The amendment would require the appropriate official in each school district to certify, as a condition of obtaining any funds from any program under either Act, that the Compulsory Attendance laws are being enforced in his district. Any person making a false certification would of course be subject to the provisions of Sec. 1001 of Title 18, U.S. Code, that provides a criminal penalty of not more than \$10,000 or imprisonment of not more than five years or both for making a false statement.

In addition the amendment directs the Secretary to prepare recommendations to the Congress and to submit them by July 1, 1969, which recommendations shall indicate the minimum level of educational attainment that the Secretary feels essential to meet the needs of today. Congress would then be in a position to determine whether or not higher standards should be provided as a condition of receiving federal aid.

Those who require their own children to attend school have very pronounced feelings about those who do not. And, taxpayers generally, resent seeing \$5,000 to \$6,000 a year being spent to educate drop outs when enforcement of school attendance laws would have prevented much of this, particularly had the educational course been properly oriented.

SUMMARY OF FINDINGS

(NOTE.—A compulsory school attendance law, repealed in 1955, is back on the state law books in South Carolina. The law requires schooling for all children between the ages of 7 and 16.)

COMPULSORY ATTENDANCE

All States except Mississippi and South Carolina have compulsory attendance laws. In Virginia, however, they are applicable only at the option of local governments. The minimum age requirement is 6 years in 6 States, 7 years in 39 States, and 8 years in 5 States (see table 4). The maximum age requirements are 16 years in 41 States, 17 years in 5 States, and 18 years in 4 States. The most prevalent age range is 7 to 16 years, which is found in 34 States. The age ranges may also be regarded in terms of the number

of years of required attendance. Schooling is required during 8 years of a child's life in 4 States, 9 years in 35 States, 10 years in 6 States, 11 years in 3 States, and 12 years in 2 States.

Exemptions to the compulsory attendance laws vary, but the most frequently mentioned exemption is a physical or mental handicap (47 States). Completion of high school constitutes an exemption in 17 States, while under certain conditions, completion of the 10th grade amounts to a statutory exemption in 1 State, 9th grade in 2 States, 8th grade in 16 States, and 6th grade in 1

State. One State law expressly exempts married students from compulsory attendance. Six States specifically exempt from compulsory school attendance any child whose parents object to his attending an integrated school.

The counterpart of requiring a child to attend school is the requirement that the school district maintain and operate a school for a specific period of time. In 32 States the minimum statutory school term is 180 days or the equivalent (36 weeks or 9 months); but the required term varies from no mandate at all in 5 States to 185 days in 1 State.

Many State aid formulas contain additional provisions pertaining to the school term. However, these are financial incentives rather than absolute requirements for operating a school.

From the viewpoint of practicality, a more important question is, at what ages are persons permitted to attend public school? The permissive age (see table 4) normally begins at 6 and extends to 21, with some States permitting local boards to authorize admission of persons whose ages are outside the normal statutory limits. Several States impose no upper limits for veterans.

TABLE 4.—MINIMUM AND MAXIMUM AGES FOR COMPULSORY AND PERMISSIVE SCHOOL ATTENDANCE: 50 STATES, THE DISTRICT OF COLUMBIA, AND PUERTO RICO, 1965

State	Compulsory attendance			Permissive attendance		State	Compulsory attendance			Permissive attendance	
	Age range		Years of required attendance	Minimum age	Maximum age		Age range		Years of required attendance	Minimum age	Maximum age
	Minimum	Maximum					Minimum	Maximum			
Alabama	7	16	9	6	(1)	Montana	7	16	9	6	21
Alaska	7	16	9	6	(1)	Nebraska	7	16	9	5	21
Arizona	8	16	8	6	21	Nevada	7	17	10	6	(1)
Arkansas	7	16	9	6	21	New Hampshire	6	16	10	(1)	(1)
California	8	16	8	6	(1)	New Jersey	6	16	10	5	20
Colorado	7	16	9	6	21	New Mexico	6	17	11	(1)	(1)
Connecticut	7	16	9	6	(1)	New York	7	16	9	5	21
Delaware	7	16	9	6	21	North Carolina	7	16	9	6	21
District of Columbia	7	16	9	6	(1)	North Dakota	7	16	9	6	21
Florida	7	16	9	6	(1)	Ohio	6	18	12	6	21
Georgia	7	16	9	6	19	Oklahoma	7	18	11	6	21
Hawaii	6	16	10	6	(1*)	Oregon	7	18	11	6	21
Idaho	7	16	9	6	21	Pennsylvania	8	17	9	6	21
Illinois	7	16	9	6	21	Puerto Rico	8	16	8	5	18
Indiana	7	16	9	(1)	(1)	Rhode Island	7	16	9	(1)	(1)
Iowa	7	16	9	5	21	South Carolina	(1)	(1)	(1)	6	21
Kansas	7	16	9	6	(1)	South Dakota	7	16	9	6	21
Kentucky	7	16	9	6	21	Tennessee	7	17	10	6	(1)
Louisiana	7	16	9	6	(1)	Texas	7	17	10	6	21
Maine	7	17	10	6	21	Utah	6	18	12	6	18
Maryland	7	16	9	6	21	Vermont	7	16	9	6	18
Massachusetts	7	16	9	(1)	(1)	Virginia	7	16	9	7	20
Michigan	6	16	10	5	(1)	Washington	8	16	8	6	21
Minnesota	7	16	9	6	21	West Virginia	7	16	9	6	21
Mississippi	(1)	(1)	(1)	6	(1)	Wisconsin	7	16	9	4	20
Missouri	7	16	9	6	20	Wyoming	7	17	10	6	21

¹ Not specified in statutes.
² Inclusive.
³ No child of 17 shall be admitted to grade 9, and no child of 18 to grade 10 except with the permission of the superintendent.
⁴ Special provision exists for veterans or disabled persons.

¹ Special provision exists for those who have not completed high school.
² But a person shall not be deprived of educational opportunities by reason of age.
³ Local board may raise minimum age to 7.
⁴ Adoption of attendance law is option of local community.

CENSUS

Laws in 39 States require that a school census be taken (see table 5). Of these States, 24 require a census annually; 5, biennially; 3, quadrennially; and 3, every 5 years. One does not specify the frequency, and three others require a continuing census. Nine other States authorize a continuing census as an alternative to, or in conjunction with, the periodic census. There is no pattern in the age span covered by these census requirements, but it is normally greater than the age span for compulsory attendance. Twenty-four States have census requirements for some or all types of handicapped children, and four others authorize such a census. Twelve other States require that names or numbers of handicapped children be reported.

ATTENDANCE OFFICERS

The effectiveness of any compulsory attendance law is determined largely by its enforcement, and especially by the attendance officer's role in enforcement.

Superintendents of schools and school boards typically have the power and duty to appoint and supervise attendance officers for enforcement of compulsory attendance laws. In many States, school boards may act jointly to utilize the services of one attendance officer for two or more districts. Where there are no local attendance officers, the county superintendent of schools may be authorized to serve in that capacity. In Colorado, Montana, Texas, and Iowa, probation officers, constables, or school nurses may also be appointed as attendance officers.

The professional status of attendance officers is becoming more specialized, as indicated by the use of new titles. For example, New York, Tennessee, Louisiana, Kentucky, and Georgia have visiting teachers or attendance teachers who must possess qualifications the same as, or equivalent to, those of other teachers.

Mississippi and Idaho have no statutory provisions for attendance officers. Although South Carolina has no compulsory attendance statutes, its law still provides for attendance officers who are charged with the duty of "influencing pupils by means of persuasion to attend regularly."

While State departments of education generally have authority to supervise and regulate the activities of attendance officers appointed by county or local school boards, Colorado, Hawaii, Indiana, Louisiana, Oregon, South Dakota, Vermont, and New Hampshire have specific statutory provisions for the appointment of State attendance officers or directors with supervisory authority.

Attendance officers are generally vested by statute with the powers of police officers, so that under appropriate circumstances they may make legal arrests in the enforcement of compulsory attendance laws.

PENALTIES

Almost universally, violations of the attendance laws by a parent constitutes a misdemeanor. Provisions for penalty against a parent vary greatly. Forty-five of the 52 States whose laws are reported here specify fines which may or must be assessed against pa-

rents (or sometimes other persons) who violate the attendance laws. Some of the laws mention a minimum fine as high as \$15. More commonly, the amount of a variable fine is discretionary with the court, provided it does not exceed an express ceiling. This ceiling ranges from \$2 to \$500. Laws of 25 States provide for terms of imprisonment for violation, the maximum penalties ranging from 5 days to 6 months; and 7 other States provide that imprisonment is appropriate when the fine is not paid. One State authorizes a term of up to 90 days at hard labor. Fourteen States authorize penalties of both fine and imprisonment. In 13 States, the laws set more lenient penalties for first offenses. In 3 others, no specific penalty is listed; but the law indicates that punishment shall be as for a misdemeanor or as imposed by the court under the youth law.

Penalties are also imposed by a few States upon public officials, such as truant officers or teachers, who fail to perform duties required by the attendance laws; against persons who aid or encourage children to violate the attendance laws; and against persons who illegally employ or harbor minors required to be in school. Separate penalties are sometimes imposed on parents who misrepresent the age of children in order to avoid the compulsory attendance law or for failure of a parent to require the attendance of a handicapped child at special classes or an employed child at continuation classes.

TABLE 5.—SELECTED DATA ON THE SCHOOL CENSUS AND CENSUS OF THE HANDICAPPED: 50 STATES, THE DISTRICT OF COLUMBIA, AND PUERTO RICO, 1965

State	School census			Census of the handicapped		
	Authorization	Frequency	Age span	Authorization	Frequency	Type of handicap
Alabama.....	Mandatory.....	Every 4 years.....	6-12.....			
Alaska.....						
Arizona.....						
Arkansas.....	Mandatory.....	Biennial.....	6-18.....			
California.....						
Colorado.....	Mandatory.....	When ordered by State.....	Birth-21.....	Mandatory.....	Annual.....	Deaf and blind.
Connecticut.....	do.....	Annual.....	Birth-18.....	do.....	Annual.....	All.
Delaware.....	do.....	Biennial.....	5-18.....	do.....	Annual.....	All.
District of Columbia.....	do.....	Annual.....	3-18.....			
Florida.....	do.....	Every 5 years.....	6-18.....			
Georgia.....	do.....	Continuous.....				
Hawaii.....				Mandatory.....		All.
Idaho.....				Mandatory.....	Every 4 years.....	All.
Illinois.....						
Indiana.....						
Iowa.....	Mandatory.....	Biennial.....	5-21.....	Mandatory.....	Biennial.....	All.
Kansas.....	do.....	Annual.....	Birth-21.....			
Kentucky.....	do.....	Continuous.....	6-18.....	Mandatory.....	Annual.....	All.
Louisiana.....	do.....	Every 4 years.....	Birth-18.....			
Maine.....						
Maryland.....	Permissive.....		Birth-18.....	Permissive.....		All.
Massachusetts.....	Mandatory.....	Annual.....	5-16.....	Mandatory.....	Annual.....	All.
Michigan.....	do.....	do.....	Birth-20.....	do.....	do.....	All.
Minnesota.....	do.....	do.....	Birth-21.....			
Mississippi.....	do.....	do.....	Birth-19.....			
Missouri.....	do.....	Every 5 years.....	6-20.....	Mandatory.....	Annual.....	All.
Montana.....	do.....	Annual.....	Birth-21.....	do.....	Every 4 years.....	All.
Nebraska.....	do.....	do.....	5-21.....	do.....	Annual.....	Crippled.
Nevada.....						
New Hampshire.....	Mandatory.....	Annual.....	Birth-18.....	Mandatory.....	Annual.....	All.
New Jersey.....	Permissive.....		5-18.....			
New Mexico.....	Mandatory.....	Annual.....	6-18.....	Permissive.....		All.
New York.....	do.....	do.....	Birth-18.....	Mandatory.....	Continuous.....	All.
North Carolina.....	do.....	Continuous.....				
North Dakota.....	do.....	Biennial.....	Birth-21.....	Mandatory.....	Biennial.....	All.
Ohio.....	Mandatory.....	Annual.....	5-18.....	Mandatory.....	Annual.....	All.
Oklahoma.....	do.....	do.....	Birth-18.....			
Oregon.....	do.....	Biennial.....	4-20.....	Mandatory.....	Biennial.....	Blind and deaf.
Pennsylvania.....	do.....	Annual.....	Birth-18.....			
Puerto Rico.....						
Rhode Island.....	Mandatory.....	Annual.....	4-21.....	Mandatory.....	Annual.....	All.
South Carolina.....	do.....	do.....		do.....	do.....	All.
South Dakota.....	do.....	do.....	Birth-21.....	do.....	do.....	All.
Tennessee.....	do.....	Every 4 years.....	Birth-16.....	do.....	Every 4 years.....	All.
Texas.....	do.....	Annual.....	7-18.....	Permissive.....		Crippled.
Utah.....	do.....	do.....	Birth-18.....	Mandatory.....	Annual.....	All.
Vermont.....	do.....	do.....	6-18.....			
Virginia.....	do.....	Every 5 years.....	7-20.....	Mandatory.....	Every 5 years.....	Deaf and blind.
Washington.....	do.....	Annual.....	5-21.....			
West Virginia.....	Permissive.....		Birth-20.....	Permissive.....	Annual.....	All.
Wisconsin.....	Mandatory.....	do.....	4-20.....	Mandatory.....	do.....	All.
Wyoming.....	do.....	do.....	6-21.....			

A few States specify the length of absence which constitutes a separate violation of the attendance laws. In States where each day is a separate violation, an otherwise small penalty may cumulate into a very large fine or very long jail term.

Provisions for punishment of children who violate the attendance laws are fairly common but not universal. In 24 States the attendance laws give specific authority for the commitment of truant children to special schools or classes. Such classes may be especially designed for truants alone, or for truants and incorrigible pupils; or they may be the same institutions to which neglected children or juvenile delinquents are committed. They may be called by any of several names, such as "truant schools," "parental schools," or "special upgraded schools or classes." In several other States the attendance laws contain authority for the trial of violating minors under the youth or delinquency laws; in other States the authority of juvenile courts extends to the punishment of minors for truancy. Such authority has not been listed in this study unless it appeared in the attendance laws. Few States grant authority to levy fines on offending minors, although one State authorizes fines of \$10 to \$200 (or up to 60 days' imprisonment) for violation of attendance laws by a minor.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MORSE. Mr. President, as the Senator from Illinois has pointed out, I discussed this matter with the ranking minority member of the committee [Mr. JAVITS] and with the Senator from Illinois. I am willing to accept the amend-

ment and take it to conference, for two reasons. The Senator from Illinois [Mr. DIRKSEN] has covered the first.

One of our great problems, particularly in elementary-secondary education, is the matter of dropouts. One of the reasons that there are so many dropouts is because we are dealing, and let us face it—though some educators do not want to face it—with a certain percentage of students who are simply not interested in going on with so-called liberal arts education, but who need training in skills. I suggest to the Senator that I am not so sure, though I will check with the parliamentarian later, when we get to it, but that the Senator's amendment could be added also to the vocational education bill, where I think it would probably have more effect.

We need to develop in this country training in the skills if we hope to meet the dropout problem. There is no doubt about the fact. The evidence is clear, that in some areas of the country, the school officials sweep the problems of enforcing the compulsory attendance laws under the rug. They know they are dealing with a group of boys and girls whom it is very difficult to get to go to school, because the appeal is not there for them.

When we get into our vocational educational training, I believe we will have the appeal. But on the other hand, Mr. President, I do not think we can justify pouring Federal money into our school

systems if the school officials themselves are not interested in enforcing their own compulsory educational laws.

I am willing to accept the amendment and take it to conference.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JAVITS. Mr. President, I join the Senator from Oregon in the comments he has made.

I ask the Senator from Illinois [Mr. DIRKSEN] to confirm the fact that he made a slight change in his amendment to the effect that the school authorities who are required to certify be required to certify that they are doing everything they can to bring about enforcement, it being recognized—and this is substantive—that other agencies of government, including the courts, are required to cooperate if compulsory school attendance laws are truly to be enforced.

It seems to me that to have that clearly shown as the legislative intent—in other words, what we call in the financial business "on a best efforts basis"—is what the Senator has in mind. At least our school authorities, then, will be certifying that they are doing everything they can to bring about enforcement of all the compulsory school attendance laws.

Mr. DIRKSEN. Mr. President, the distinguished Senator from New York is correct; and in connection with it, I might point out the penalties that are involved where there is certification that just does not stand up in the light of day on a foundation of fact. So I have modified it accordingly, to leave some latitude there, knowing how severe those penalties can be; and for that suggestion I thank my friend from New York.

Mr. JAVITS. I thank the Senator from Illinois. I think he has made a distinct contribution to the bill, and I join the Senator from Oregon in expressing my appreciation.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois.

The amendment was agreed to.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. MORSE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Colorado is recognized.

Mr. DOMINICK. Mr. President, as the author of the comprehensive scholarship program authorized by title XII of the Higher Education Act of 1968 known as the U.S. Foreign Service Corps, I rise to its support.

Mr. MORSE. Mr. President, will the Senator from Colorado yield to me for

a minute or two, so that I may explain to him and to the Senator from Alabama [Mr. SPARKMAN] a statement I made earlier this morning in my speech on the legislative history of the bill?

Mr. DOMINICK. I yield.

Mr. MORSE. When I got to this proposed addition of title XII to the Higher Education Act of 1965 in title VI of S. 3769 I said I had been informed that the Committee on Foreign Relations was raising a jurisdictional question over title XII, and I briefly discussed and inserted in the RECORD a staff memorandum prepared by Dr. Carl Marcy, director of the professional staff of the Committee on Foreign Relations—a memorandum which I stated I was sure that he had prepared with the full approval of the acting chairman of the Committee on Foreign Relations, the Senator from Alabama [Mr. SPARKMAN], raising the jurisdictional matter.

I made very clear that the Committee on Labor and Public Welfare did not intend to infringe upon the jurisdiction of the Committee on Foreign Relations, but that likewise we do not intend to yield to the Committee on Foreign Relations—and I speak as a member of that committee—our jurisdiction over the educational aspects of a scholarship program in this country, regardless of the particular field in which the scholarships are involved.

The difficulty, as I understand it—although Senator SPARKMAN can speak with greater authority on the matter than can I—is the concern that has been expressed by the State Department and by the Committee on Foreign Relations that the section as proposed by the Senator from Colorado sets up what amounts, in their sights, to a foreign service corps, which they believe, as far as the corps aspects are concerned, falls within the jurisdiction of the State Department, and therefore should be handled by the Committee on Foreign Relations.

I countered, although I added that the Senator from Colorado was really my expert authority on the matter, by saying that what we are interested in is providing for scholarships for young men and women in this country who want to enter into various aspects of foreign service, and that foreign service is not limited to the diplomatic, but involves commerce, agriculture, labor, and the whole gamut of all U.S. relations with foreign countries in addition to the diplomatic.

Let me dwell for just a moment on the diplomatic aspect. Whether it be in Colorado, Berkeley, Eugene, Corvallis, Yale, or anywhere else in the country, young men and women ought to be encouraged to go to those universities which have foreign service training programs, and in many instances on a scholarship, so that they can take their graduate work in that field and prepare themselves for any one of the many types of foreign service.

In essence, I think that is a fair summary of what I said this morning.

I want both the Senator from Alabama and the Senator from Colorado to know that what we are seeking within the jurisdiction of the Committee on Labor and Public Welfare—which is our

jurisdiction—is to provide scholarships. We provide fellowships and scholarships in many other fields.

I see no reason why we cannot reach an understanding with the Senator from Alabama and other members of the Foreign Relations Committee.

I have no desire, as a member of that committee, to take one iota of jurisdiction away from the Foreign Relations Committee. Nor do I intend to give the Foreign Relations Committee jurisdiction one iota of what falls within the educational prerogatives of the Labor and Public Welfare Committee.

I think we ought to work out language here and now that would make it possible for us to provide scholarships to the students that want to go to the universities of their own selection in this country to get whatever their curricula offers by way of foreign service training.

I am not wedded to all the details of the sections of title XII, which is the bill of the Senator from Colorado [Mr. DOMINICK], written into the pending bill as an amendment to the Higher Education Act of 1965. So, I make a plea to the Senator from Colorado and the Senator from Alabama to see if they cannot work out an acceptable understanding so that we can provide for a number of scholarships in the field.

Mr. DOMINICK. Mr. President, I thank the distinguished Senator from Oregon, the chairman of the subcommittee and the acting chairman in the educational field.

I think if I explain the bill, it may become crystal clear to the Senator from Alabama and to other Senators as to what we are dealing with in title XII.

I was the author of a Foreign Service Academy bill and fought for it both in the House when I was a Member of that body and in the Senate since I have been a Member of the Senate. I am also the cosponsor of a Freedom Academy bill which is also the Foreign Relations Committee. So I am well aware of the feeling of the State Department that they should have control over those bills which took an institutional approach.

It was as a result of this that I have been working with very distinguished educators in my State and in other States. I mentioned to them some of the difficulties we had encountered and suggested that perhaps we could work out another approach through the educational field.

This is exactly what we have done in the pending bill.

The program which I have proposed, and which has been adopted by the committee, represents a true amalgamation of purpose with the fine colleges and universities throughout the United States in making available new and better educational opportunities for students in the field of foreign relations. At the same time it recognizes the motivation and offers meaningful participation in the program to those already employed by the Federal Government in this field.

A description of the operation of the program may be found at page 56 of the committee report. Before amplifying on that description, I would like to state for the RECORD what I consider to be the major attributes of such a scholarship approach.

First. It utilizes, rather than competes with, the facilities and academic expertise of educational institutions, public and private, while preserving their control and objectiveness.

Second. It offers varied but carefully coordinated undergraduate and graduate programs including field training for student scholarship recipients as well as inservice training and research.

Third. It harnesses a continual and prepared reservoir of representative talent from diverse sectors of American life with a variety of educational backgrounds from many colleges and universities.

Fourth. It provides access to the full breadth of curriculums taught by the top minds in the country.

Fifth. It maintains the desirable flexibility and independence to maximize opportunities for charting new courses and altering old ones in foreign affairs education and practice.

Sixth. It concentrates our investment in people instead of property, avoiding large capital outlays for buildings, grounds, and equipment. I emphasize that it concentrates our investment in people instead of property.

Responsibility for supervision of the Corps would rest with a nine-member board of trustees: The Secretary of State, four educators appointed by the President, two Members of the Senate, and two Members of the House of Representatives. Not more than one of the trustees from the Senate nor more than one of the trustees from the House may be of the same political party. Provision is made for staggering of the longer terms of the educators to promote continuity.

This program is designated a "corps" simply because it fits into a nationally recognized name. We already have a Teacher Corps, for example. Past experience shows that use of the term "corps" has added prestige to programs and fostered increased interest in the programs.

The U.S. Foreign Service Corps would consist of students in addition to Government officers and employees who have duties and responsibilities in the field of foreign relations. As the Senator from Oregon has said so well, this is designed for the young people of our country to go to a college of their choice under a scholarship program and obtain training under an agreement that they will serve in the Government of the United States in fields related to foreign relations whether they serve in agriculture, transportation, commerce, labor, State Department, or other endeavor. We have today in excess of 75,000 civilians employed overseas by 37 Federal Government departments and agencies. The program would cover the total scope of governmental operations.

The board of trustees is directed to make arrangements with qualified non-Federal institutions of higher learning to provide for the admission of qualified members of the Corps to such institutions to pursue approved courses of study or research activities in the field of foreign relations. Undergraduate and graduate programs leading to degrees would be available for students, but Government officers and employees would have

access to part-time as well as full-time programs.

Let me give an example. Let us suppose that there is in the field of reclamation a Government employee working in Idaho, Colorado, California, or some other State, who decides that he would have a great advancement in his career if he had the opportunity to become acquainted with the needs and desires of countries wherever they may be—India, Latin America, South America, or the Far East. He would have the opportunity, if he qualified, to take specialized courses in the institution of his choice. He would advance in this field and in doing so benefit his country as well as himself. Appropriate orientation and language training for family members of persons admitted to the Corps and of all Government employees whether or not admitted to the Corps is authorized as their time for assignment to a foreign country or area nears.

Government officers and employees would be admitted to the Corps upon selection by the head of their department or agency. While in the Corps their compensation would be maintained by their department or agency and they would be reimbursed for specified educational expenses. On completion of his or her education, training, research, or course of study within a Corps program, such member would be entitled to continue service in the former position or one of like seniority and status.

Students would be admitted to the Corps through a nomination and competitive examination process. Some would be nominated from the United States at large to take the competitive examinations held by the board. Others would be nominated by the Governors of each State, the Virgin Islands, the Canal Zone, the Commissioners of the District of Columbia and Puerto Rico. But by far the greater number of nominations would arise from the requirement that there also be 30 nominated at-large from each State—15 nominated by each Senator from the State—and 15 from each congressional district—nominated by the Representative from the district. Once nominated, applicants would be selected for membership in the Corps in the order of merit established by the competitive examinations. Student Corps members would be required to maintain satisfactory progress in at least a minimum level of full-time credit courses and would be compensated for tuition, texts, laboratory fees, and course materials, and would receive specified subsistence payments. Upon satisfactory completion of his course of study leading to an undergraduate or graduate degree, the student member would be eligible for hiring or appointment by the United States in connection with any program of the Government relating to the field of service overseas.

All Corps members would be required to accept employment or remain in the employment of the United States for a certain time after leaving the Corps. This is to make sure that the money that the taxpayers have spent will be returned in the service that trained personnel would be giving to the United States.

Let me point out to the Senator from Alabama that this proposal is not in-

tended primarily to train Foreign Service officers—and I use the words "Foreign Service" in initial capitals.

Indeed, the chief thrust is to create a definitive program for all personnel of the Government who are or will be working in the field of service to the United States overseas. The fact that we now have approximately 3,387 active Foreign Service officers but more than 22 times that many people—in excess of 75,000—working abroad for the Government in a civilian capacity makes this distinction crystal clear.

If the Foreign Service Corps becomes law, the responsibility for the basic education of these people will remain in non-Government hands. Career curriculums are now offered in international relations in at least 77 institutions in 31 States, the District of Columbia, and Puerto Rico. The same is true for Foreign Service and diplomacy in at least 41 institutions in 21 States and the District of Columbia. With the advent of the Corps, more programs will be established and more colleges and universities will establish them, and will then be qualified for this scholarship program. Can we afford not to mobilize this resource?

It is interesting that what we did was, in fact, to adapt an existing program, which is the Navy scholarship program, known, I believe, as the Holloway Plan. We used that as the basic ingredient. That program has worked. It gives one freedom of choice. It permits one to go to the institution of his choice, within certain limits; and it does say that in that process he will serve the United States in that service, if he is under the Holloway Plan. Under my program he would serve in a civilian capacity. As I have said, it is a scholarship program.

Unfortunately, our Nation has not yet developed an efficient total system for training personnel from all agencies, other than the State Department, who are destined for overseas assignments. Independent efforts of the many departments and agencies cannot meet the challenge as effectively as can a fully coordinated operation encompassing all considerations that would maximize the beneficial international impact of the policies of the United States.

Since each Government employee abroad is an ambassador of the United States, logic dictates that the composite impression they make be the product of thoughtful planning and thoughtful training.

This can be initiated through the Foreign Service Corps. Such a coordinated undertaking would be substantially rewarding to this country and to all mankind.

I know that the objection of the Senator from Alabama—and I also refer to the chief of staff, Dr. Marcy, who is in the Chamber—has been to the jurisdictional aspect of whether the Educational Subcommittee of the Labor and Public Welfare Committee or the Foreign Relations Committee should be considering this bill. But under rule XXV of the Standing Rules of the Senate, the jurisdiction of our Committee on Labor and Public Welfare encompasses "all proposed legislation relating to education." This is the committee to which the

parliamentarian sent the bill. This is why we considered it. This is what it does. It relates to education and scholarships.

There is one matter I would mention to the Senator from Alabama, and I do not know whether this is a sticky point for him. In this particular title we do transfer the Foreign Service Institute from the Secretary of State to the board of trustees, of which the Secretary of State is a member. There is that change in the organizational structure. If this is the sticking point to which he is objecting, we can—and I would be willing—to remove it. But the only problem with that is I understand the head of the Foreign Service Institute is favorably inclined toward this proposed program. If this is a sticking point, I would reluctantly omit it, because I believe the scholarship program is the real key and is of enormous importance in better training and in providing an opportunity for our young people to serve this Government overseas. This is the whole drive and tenor of our particular title.

VISIT TO THE SENATE BY MEMBERS OF THE AUSTRALIAN SENATE AND HOUSE OF REPRESENTATIVES

Mr. SPARKMAN. Mr. President, I wish to invite to the attention of Senators that we are honored at this time by the presence of seven members of the Australian Parliament. They are at the rear of the Chamber, and I should like to state their names:

Senator the Honorable Sir Alister McMullin, President of the Senate.

The Honorable William J. Aston, Speaker of the House of Representatives.

Senator D. M. Devitt.

Senator Dame Ivy Wedgewood.

Mr. G. M. Bryant, member of the House of Representatives.

Mr. E. N. Drury, member of the House of Representatives.

Mr. G. D. Erwin, member of the House of Representatives.

We are pleased to have these representatives of the great Commonwealth of Australia visit with us and to be in this country for a period of time. We are happy that they came to the Capitol today. We had an opportunity to meet and talk with them at lunch, and we are pleased that they were able to visit briefly with the Senate in session.

Mr. President, I am very glad to extend to them, on behalf of all the Members of the Senate, a hearty welcome to the Chamber of the Senate of the United States.

The PRESIDING OFFICER. On behalf of the Senate, the Chair would like to express how pleased we are to have the visitors from Australia with us today.

[Applause, Senators rising.]

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bills and joint resolution of the Senate:

S. 660. An act granting the consent of Congress to a Great Lakes Basin Compact, and for other purposes;

S. 1260. An act to amend the Northwest Atlantic Fisheries Act of 1950 (Public Law 81-845);

S. 1752. An act to amend the Act prohibiting fishing in the territorial waters of the United States and in certain other areas by vessels other than vessels of the United States and by persons in charge of such vessels; and

S.J. Res. 172. Joint resolution extending the duration of copyright protection in certain cases.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 75) authorizing acceptance for the National Statuary Hall collection of statues of Father Damien and King Kamehameha I, presented by the State of Hawaii.

The message further announced that the House had passed the bill (S. 3245) to extend for an additional 3 years the authorization of appropriations under the State Technical Services Act of 1965, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House insisted upon its amendment to the bill (S. 1166) to authorize the Secretary of Transportation to prescribe safety standards for the transportation of natural and other gas by pipeline, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. STAGGERS, Mr. MACDONALD of Massachusetts, Mr. KORNEGAY, Mr. VAN DERLIN, Mr. SPRINGER, Mr. BROYHILL of North Carolina, and Mr. HARVEY were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H.R. 15758. An act to amend the Public Health Service Act so as to extend and improve the provisions relating to regional medical programs, to extend the authorization of grants for health of migratory agricultural workers, to provide for specialized facilities for alcoholics and narcotic addicts, and for other purposes;

H.R. 16024. An act to extend for two years the Act of September 30, 1965, relating to high-speed ground transportation, and for other purposes;

H.R. 18366. An act to amend the Vocational Education Act of 1963, and for other purposes; and

H.J. Res. 1. Joint resolution creating a Joint Committee To Investigate Crime.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred, as indicated:

H.R. 15758. An act to amend the Public Health Service Act so as to extend and improve the provisions relating to regional medical programs, to extend the authorization of grants for health of migratory agricultural workers, to provide for specialized facilities for alcoholics and narcotic addicts, and for other purposes; to the Committee on Labor and Public Welfare.

H.R. 16024. An act to extend for 2 years the act of September 30, 1965, relating to high-speed ground transportation, and for other purposes; to the Committee on Commerce,

H.J. Res. 1. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on the Judiciary.

HIGHER EDUCATION AMENDMENTS OF 1968

The Senate resumed the consideration of the bill (S. 3769) to amend the Higher Education Act of 1965, the National Defense Education Act of 1958, the National Vocational Student Loan Insurance Act of 1963 and related acts.

Mr. SPARKMAN. Mr. President, I have listened attentively to what the distinguished Senator from Colorado has said with reference to title XII of this bill.

Title XII of S. 3769 contains the provisions of S. 3700, which was a 21-page bill introduced by the junior Senator from Colorado [Mr. DOMINICK] on June 26, 1968, to provide for a U.S. Foreign Service Corps. I want to emphasize that term, "Foreign Service Corps."

Under its terms the program would be created to train and educate Government employees who are or will be working in the field of foreign relations. This program would be under the management and supervision of a board of trustees consisting of the Secretary of State, four educators to be appointed by the President, and two Members of the Senate, and two Members of the House of Representatives, to be appointed by the Vice President and the Speaker, respectively.

Although the proposal states that the State Department's Foreign Service Institute is to be continued, it provides that all functions, powers, and duties of the Secretary of State relating to the Foreign Service Institute are to be transferred to the board.

In addition, all property and personnel of the institute, as well as the unexpended balance of any appropriation are to be transferred to the Board for its use for the furtherance of the objectives of the Foreign Service Corps. The Board would be supported by a staff of five professional staff members and such clerical staff members as may be necessary.

Title XII also contains elaborate provisions relating to the nomination and admission of students and Government employees into the Foreign Service Corps, the payment of their compensation and expenses, and rules governing their assignment and period of service upon the completion of their training or education. For example, pursuant to the provisions of section 1204, the Board of Trustees would be authorized to make arrangements with qualified non-Federal institutions of higher learning to admit a total of 5,000 individuals in the Foreign Service Corps to pursue courses of study and engage in research activities approved by the Board relating to the field of foreign relations. Prior to being admitted, the individual would be required to take a competitive examination. Section 1205 provides that 8,418 individuals may be nominated to take the examination. It should be noted, however, that the applicant would not be eligible to take the competitive examination unless he has first been nominated by the fol-

lowing, as are mentioned by the Senator from Colorado, that is to say, the President, Vice President, the Secretary of State, a Senator or a Member of the House of Representatives, a Governor of a State, the Resident Commissioner from Puerto Rico, the Commissioner of the District of Columbia, the Governor of the Virgin Islands, or the Governor of the Canal Zone.

The Board may vary this procedure after an initial period of 3 years if it does not produce enough qualified applicants.

The provisions of title XII further provide that competitive examinations, which are to be developed by the Board in consultation with the non-Federal institution involved, are designed to test "the intellectual capacities and training of the applicant and his aptitude for service in the field of foreign relations."

Section 1206 provides that each student admitted to the Foreign Service Corps would be compensated for tuition, texts, laboratory fees, and associated course materials, and be eligible to receive subsistence payments established by the Board of Trustees.

Subsistence payments for a training month would be \$130 for a single student member or a student legally separated, \$175 for a married student member having a dependent spouse, and \$250 for husband and wife student members who are living together. An additional \$15 per training month would be paid for each dependent child of a student member, or a dependent other than his spouse or child.

In addition, the head of each Government department or agency would be authorized to select officers or employees who volunteer for the Foreign Service Corps to pursue studies or engage in research activities. Such individuals would be paid their regular salaries and be reimbursed for their necessary expenses, including travel expenses, and the expense of packing, crating, transporting, and temporarily storing, and unpacking household goods and personal effects. The officer or employee would also be reimbursed for the purchase or rental of books, materials and supplies, and all other services or facilities directly related to the education, training, or research or course of study while he is in the Foreign Service Corps.

Mr. President, this is not a simple student scholarship program. It would have the effect of completely revamping the Foreign Service Institute in the Department of State, and it has some very far-reaching implications.

It is my understanding that title XII was added to S. 3769 on July 11, 1968, in executive session and without a public hearing or comments from the Department of State. Moreover, the bill and the report thereon were not available to the Members of the Senate until late this morning.

In my opinion, title XII involves matters clearly within the jurisdiction of the Committee on Foreign Relations and I would hope that the Senate would agree to strike title XII so that the Committee on Foreign Relations and the Department of State would have an opportunity to examine the provisions with care.

I may add that a letter has been sent up by the Department of State regarding this bill. It reads as follows:

JULY 15, 1968.

Hon. MIKE MANSFIELD,
Majority Leader,
U.S. Senate.

DEAR MR. MANSFIELD: The Department has recently been asked for a report on S-3700, a bill "To amend the Higher Education Act of 1965 in order to provide for a United States Foreign Service Corps."

The Department has this under study and is interested in many of the ideas proposed in the bill. It does, however, make fundamental changes in both the organization of the Department of State and the method of recruiting future foreign policy officers for this and other agencies. For this reason, we believe this proposal needs very careful study before rendering a definitive opinion.

We have just been informed that the provisions of this bill have been incorporated as a new title in the Higher Education Act (S-3769) which we understand is before the Senate for action today. We would feel that it would be unwise to proceed with action on this title at the present time, and would hope that the Senate would see fit to defer this title without prejudice to the rest of the bill until such time as the appropriate comment can be provided and the appropriate subcommittees can consider it.

Sincerely yours,

WILLIAM B. MACOMBER, JR.,
Assistant Secretary for Congressional
Relations.

Mr. President, I appreciate the comments made by the distinguished Senator from Oregon, the chairman of the committee, and also, to some extent, agreed to by the distinguished Senator from Colorado.

I do not believe, with the hasty consideration the bill has had, it ought to be taken up at this time, particularly since it clearly invades the field of jurisdiction of another committee.

The Senator from Colorado agrees that the Foreign Service Institute probably is not properly involved. Certainly it is not properly involved. The Foreign Service Institute was set up under legislation handled by the Committee on Foreign Relations. It is a part of the general setup of the State Department, clearly under the jurisdiction of the Committee on Foreign Relations. Foreign Service officers, those who enter the foreign service field, the selection of them, the manner in which they are to be selected, the qualifications and everything pertaining to them, is under the jurisdiction of the Committee on Foreign Relations.

I feel that this particular version is shot through with matters over which the Committee on Foreign Relations has jurisdiction. Let me say to the Senator from Colorado that I have a great deal of sympathy with what the Senator is trying to do, but I believe that we should have an opportunity to study and consider it. I also believe that it would be only fair for the State Department—the department responsible for a great part of this—to consider it. I do not question the scholarship arrangement. I feel certain that it could be worked out. It is something, though, that we should have more time to study.

I wish very much that the Senator from Colorado would agree to take this out of the bill and I will give him the firm assurance that insofar as I am able to do it—and I am sure that the Senator from Oregon [Mr. MORSE] would do the

same thing, I am sure that the Senator from Arkansas [Mr. FULBRIGHT], when he comes back, will do so, and the Senator from Montana, the majority leader [Mr. MANSFIELD]—all members of the Foreign Relations Committee will do so—that early in the next session we will give consideration to this measure and, I feel like saying, will work out something. I believe that there is enough good in it that we can work something out and I hope that the Senator from Colorado would agree to withdraw it from consideration at this time.

Mr. DOMINICK. Mr. President, I have some difficulty in trying to determine whether the Senator from Alabama is objecting to the U.S. Foreign Service Corps which is included in the pending bill on the grounds of the merits of the program.

Mr. SPARKMAN. Not at all.

Mr. DOMINICK. Well then, if he is not, then it depends solely on the question of whether the Parliamentarian was correct or was not correct in referring the bill to the Committee on Labor and Public Welfare. That, it seems to me, is a different question from the one we have been talking about before.

Let me say to the Senator from Alabama that if it will make it any easier for him in a jurisdictional way, I am willing to strike—even though I do not want to, because I think it is a prestige item—the words "Service Corps," and insert "U.S. Foreign Service scholarship program"—I am also willing to eliminate the Foreign Service Institute from the provisions of the bill, though I would prefer to retain it.

I say I do not want to delete the latter because I am advised informally, as I said before, that the Director of the Foreign Service Institute is favorably impressed with the bill. I am willing to make both of these changes, but I must say to the Senator from Alabama, without trying to be difficult on the subject, that this does provide for scholarships for students all over the country in qualified institutions of higher education of their own choice. It also provides assistance for people in agricultural, labor, transportation and numerous other Government departments and agencies to upgrade their qualifications for dealing in fields related to foreign affairs.

I do not see anything wrong with such an approach. As I say, I have developed this program by working with prominent educators across the country. Frankly, I was delighted to have some reasonably rapid action on it.

The statement of the Senator from Alabama that he has no quarrel with the merits of the program is most encouraging. If that is true, why in the world should we have a problem?

Reluctantly, I am willing to make these concessions if they would be of assistance in trying to solve some of the matters that we know the Foreign Relations Committee gets nervous about. I did not intend to infringe on the jurisdiction of the Foreign Relations Committee, and I believe my bill was properly referred to our Labor and Public Welfare Committee.

Let me give the Senator an example. The International Education Act of 1966 was before the Senate Labor and Public Welfare Committee and is extended

today by this same pending legislation—S. 3769, the Omnibus Education Act of 1968. The International Education Act was enacted: " * * * to assist in the development of resources for international study and research, to assist in the development of resources and trained personnel in academic and professional fields, and to coordinate the existing and future programs of the Federal Government in international education, to meet the requirements of world leadership."

The act provides grants to establish graduate centers which will be national and international resources for research and training in international studies. I repeat that legislation has been handled by the Senate Labor and Public Welfare Committee. No jurisdictional objection was raised there. I do not see that that is really any different from what we have in front of us, to be truthful.

Mr. SPARKMAN. I raise no objection to it now, on the international studies; but this goes far beyond that.

For instance, let me pick one item at random here—just a reference:

The board shall develop and support, as provided hereinafter, programs of education, training, and research in the field of foreign relations designed to prepare, or advance the qualifications of, members of the Corps for service with the United States in positions or programs related to such field.

Mr. DOMINICK. Let me say to the Senator that the Board does not prepare the programs. That section on the Board must be read in conjunction with the section on establishment of Corps programs. Together they provide that the Board authorizes scholarship recipients to attend qualified institutions of higher education and take curricula approved in advance through arrangements between the institutions and the Board.

Mr. SPARKMAN. The language is, "The Board shall develop and support, as provided hereinafter, programs of education"—that is on page 102.

Mr. President, while the Senator is looking that up, I want to call his attention to the fact that the term "foreign relations" is used 16 times in this title. It is shot through with "training," "activities," and "qualifications," and so forth, in the field of foreign relations. I believe that it has gone far beyond what should reasonably be expected.

With reference to the Senator's dropping out those portions, it would be most difficult, I think, to agree on the floor of the Senate, just how it could be remedied. Furthermore, I feel that we should have more time to consider all of it. Remember that this was added, as I understand it, in executive session only last Thursday, without hearings on it, and without the opportunity for anyone to know just what it did provide for.

Of course, it sounds good. It is very difficult to pick out any particular part to which one would object on the basis of its merits; but, on the other hand, we have not had the opportunity to examine it on its merits. That is what the State Department has suggested in the letter to the majority leader, the Senator from Montana [Mr. MANSFIELD], which I read into the RECORD a few minutes ago. I think that it would be entirely reasonable to defer this until the

first of the year, and, I repeat the promise I made a few moments ago that insofar as I can do it, I should be very glad to give top priority to this measure in the Committee on Foreign Relations.

I mentioned the Senator from Montana [Mr. MANSFIELD]; also the Senator from Arkansas [Mr. FULBRIGHT], who is not here, and who is, of course, the chairman of the committee. I am next, then the Senator from Montana [Mr. MANSFIELD] is next, and then the Senator from Oregon [Mr. MORSE] is next. Three of the ranking members of the Foreign Relations Committee are now in the Chamber, and I feel that they would join me in giving that assurance to the Senator from Colorado.

Mr. DOMINICK. Let me say to the Senator from Alabama that if he is concerned over the term "foreign relations," I would be happy to accept an amendment proposing it be redesignated as "governmental overseas service." All we are trying to do is to cut it down. I have the feeling that the committee and the State Department, have confused the scholarship program of this bill with other bills which have had to do with a foreign service academy.

Mr. SPARKMAN. No. They have not gotten this confused with the academy bill. In fact, they have not had it long enough to get it confused with any bill.

The bill was just introduced on June 26, I believe.

Mr. DOMINICK. That is correct.

Mr. SPARKMAN. June 26.

Mr. DOMINICK. Academy bills have been in the Foreign Relations Committee for years.

Mr. SPARKMAN. Action was taken by the Education Subcommittee on July 11, just last Thursday, adding this particular provision to the bill.

Mr. President, I would like to say something else, too. We have kindred bills that have been introduced and are pending. Some of them have just been introduced in the last few days. Those bills, pending before the Foreign Relations Committee, seek somewhat similar programs—not the same, but they do seek some kind of research and study program in the preparation of people designed to qualify them for foreign service.

Mr. DOMINICK. Do I gather from the statement of the Senator from Alabama, then, that he thinks the program is good—

Mr. SPARKMAN. The Senator from Colorado understands that when I say that, I mean it reads well, in general; I would approve the principle; but when it comes to the details, I want to make it clear that we have not had an opportunity to study it and work it out.

Mr. DOMINICK. I have offered to change the term "Foreign Relations," if that phrase seems troublesome to the Senator from Alabama. I have offered to remove the term "Corps," even though the Labor and Public Welfare Committee handles the Teachers Corps. I have even offered to take out the section regarding the "Foreign Service Institute," so it will not be affected. I understand even though I am willing to do this that the Senator is still opposed to the bill.

Mr. SPARKMAN. It seems to me it is too interwoven in the whole title to hope to remedy it here on the floor of the Senate. I wish the Senator from Colorado would agree to postpone it until January. I assure him I will do everything I can to get quick action on it.

Mr. DOMINICK. On the procedural situation, this provision is a part of the pending bill. If the Senator from Alabama wants to make a motion to strike, he will have to do it, because I do not propose to delete it.

Mr. SPARKMAN. Well, I shall be glad to do that. I was hoping it might be agreed to.

Mr. DOMINICK. I cannot agree with the Senator from Alabama that a scholarship program, an educational program, even though it involves training for overseas service, should come within the jurisdiction of the Foreign Relations Committee. I do not think it belongs there.

Mr. SPARKMAN. The qualifications, selection, training, and employment of Foreign Service officers certainly all come within the jurisdiction of the Foreign Relations Committee.

Mr. DOMINICK. Despite the similarity of names this is not a program designed for the purpose of selecting Foreign Service officers. Foreign Service officers, either existing or potential, could apply for training just as other Government employees, and students. But their entrance into that specialized group known as Foreign Service officers is left where it is now. The bill gives individuals an opportunity for educational qualifications from all over the country. From that point on, the selection, the work they are going to do, depend on the agency of Government for which they are going to work.

Mr. SPARKMAN. Is it not true that under the provisions of the bill the students selected who are to be put through school are entitled to go into the Foreign Service without further examination or testing of their qualifications?

Mr. DOMINICK. No; it is not. We have 22 times as many civilian Government employees working abroad as we have Foreign Service officers. That type of service abroad must be distinguished from the specialized Foreign Service officer.

Mr. SPARKMAN. What does this mean in the report? Listen to the report—

Mr. DOMINICK. They have to take a Foreign Service examination, just like everyone else.

Mr. SPARKMAN. Here is what the report says: "Thereafter he would be appointed as a Foreign Service officer by the Secretary of State, without the examination provided in 22 United States Code 911-912."

That certainly is, in effect, setting aside a provision in law that was enacted under the jurisdiction of the Foreign Relations Committee.

Mr. DOMINICK. That is a very, very limited provision. It is found in section 1209(b) of the bill, starting at page 115.

What this really says is that a very small proportion of the group will get graduate degrees. They are then eligible to be assigned in the discretion of the Board for 1 year of specialized study in

a foreign country or area in which they may later be assigned for Government service. Only upon satisfactory completion of the specialized study, which is, of course, within the department or agency to which the student is assigned, he would be entitled to go into Foreign Service.

Mr. SPARKMAN. Without the examination.

Mr. DOMINICK. Without the examination; that is right for only a portion of the graduate students which, in turn, form only a small part of the program.

Mr. SPARKMAN. That is what I just said. None of the regular appointees have that privilege. They are not given the privilege of a year's overseas study to prepare them for the test and then are exempted from the test. Every other one has to take the examination and then his name has to be submitted to the Foreign Relations Committee for confirmation of his appointment. This provision completely takes out that requirement.

Mr. DOMINICK. Because of my interest in moving ahead and in meeting the objections of the Senator, I am willing to consider deleting the waiver authority, even though I believe it to be carefully limited.

Mr. SPARKMAN. I would be very happy to go along with the Senator if he would move to strike title XII.

Mr. DOMINICK. That is what I thought the Senator was going to say. I am afraid I could not agree with that. All I am saying is that, if the waiver provision is a source of concern, we can strike that portion of the subsection. After all, few people are going to be involved. They are going to be graduate students. They have to be assigned for a year to an area. They have to comply with the directions of the agency. From then on, they go into the Foreign Service.

With all the concessions I am willing to make, and with the Senator stating he thinks this is basically a good program, what he is in effect saying is that the Education Subcommittee should not have jurisdiction over this matter; the Foreign Relations Committee should have. The Parliamentarian has already ruled that this is an education bill and should go to the Education Subcommittee.

Mr. MORSE. Mr. President, I just stepped over to ask the Senator from Alabama not to make his motion to strike title XII until I had an opportunity, as manager of the bill, to make a few comments on the parliamentary problem that confronts us. I am sorry to take the time, but I think it is important that I take the time, because of the parliamentary issue that has been raised.

The Senator from Colorado [Mr. DOMINICK] is a very valuable member of the Committee on Labor and Public Welfare and of my Subcommittee on Education. I know what this particular program means to him from the standpoint of his interest. Senator DOMINICK has been active in this field for the past several years. I think it was 2 or 3 years ago that he was taking the approach to

this problem from the standpoint of a Foreign Service Academy.

As he has pointed out, this provision does not encompass the Foreign Service Academy program. It has some aspects of it, in respect to the training of young men and women who are interested in Foreign Service in various fields.

As I said this morning—and I do not think it has been pointed up very much in the colloquy between the Senator from Alabama [Mr. SPARKMAN] and the Senator from Colorado [Mr. DOMINICK]—this proposal of Senator DOMINICK is not limited to diplomatic foreign service at all, but seeks to train people for work abroad in many fields, including agriculture, business, foreign trade, and labor problems as between labor policies in our country and labor policies abroad.

There is not any doubt about the complete fairness of Senator DOMINICK in presenting his bill as an amendment to the higher education bill, in the subcommittee and later in the full committee. It is quite true that it was done just last Thursday. In fairness to the members of the full committee, I think it should be said that in the discussion of Senator DOMINICK's proposal, we pointed out that we thought we would have problems with it on the floor, and we thought jurisdictional questions might be raised, and the point of no hearings would be discussed, but I stated that, because of Senator DOMINICK's fine work in this field, I did not think there would be very serious contention on the floor of the Senate as to the desirability of the objectives of the bill.

As far as the students involved are concerned, we decided to accept the proposal as an additional title XII of the Higher Education Act of 1965 and take it to the Senate for the discussion that would take place on the floor, which we are now having.

I feel that I have a responsibility as the manager of the bill that supersedes my responsibility to the proponents of any section of the bill, because I want the best bill passed today that we can get passed, and that we have a good chance of getting through conference.

I would have to say, as a member of the Committee on Labor and Public Welfare and as a member of the Committee on Foreign Relations, that we are in a weak position, on our committee, in regard to the fact that the bill did not have hearings before our committee, and that the bill was introduced at a late date, although the Senator from Colorado has been pressing for consideration of this subject matter not only this year, but in previous years.

I would also have to say, as the manager of this bill and as a member of the two committees I have mentioned, that, with objections of the State Department to the bill, I think it is only fair that the State Department should be heard in regard to the subject matter. I think, with this kind of objection raised on the floor of the Senate, with a bill of such great consequence as this, that I would have to follow my longstanding record here in the Senate of urging hearings, and that we try to work out an accommodation for the hearings at an early date, which would mean next session.

But the question of jurisdiction has been raised. I completely agree with the Senator from Colorado that as far as scholarships in the field of foreign service are concerned—and by that I mean foreign service in its broad connotation of training, of giving an opportunity for college students in this country to select an institution for graduate work, in a field of international affairs, relations, service; whatever you want to call it it means the same thing at the end—to assist young men and women who say, "We want to take graduate work so that we can qualify ourselves for careers in any one of a great number of activities abroad," that that matter falls within the jurisdiction of the Committee on Labor and Public Welfare. It deals with educational scholarships. It does not deal in any way with interferences with the State Department. I quite agree, as Senator SPARKMAN has pointed out, that any bill that would put somebody in the diplomatic foreign service without jurisdiction of the State Department, without examination by the State Department, or without confirmation by the Senate Foreign Relations Committee, would be a provision of the bill that would have to be changed. That is one of the things that hearings would bring out.

But I wish to dwell for a moment on the jurisdictional question. I do not think the jurisdictional question shall be decided here on the floor of the Senate this afternoon. I do not think the jurisdictional question should be decided until we have had a much more thorough investigation of the subject matter; because, once the jurisdictional question is decided, that is likely to be the end of the matter for quite some period of time, because the Senate is not in the habit of reversing itself on jurisdictional questions.

The only way the Senate could take jurisdiction away from the Committee on Labor and Public Welfare would be to reverse the Parliamentarian, and that would be up to the Senate as a whole. The Parliamentarian ruled when he sent the bill to the committee.

But here, may I say, if you put all technicalities aside and go to the substance of the matter, this is the kind of situation that would be best resolved as information about it develops through hearings.

Let me use this case as my hypothetical: Let us assume that instead of acting on this matter as an amendment to the higher education bill without hearing—which is what the committee did, knowing full well that when we got to the floor of the Senate, a question might be raised, with the understanding that then we would change our course of action on the floor of the Senate if we thought it should be changed, and I think it should—the committee had held hearings; what would have happened in those hearings?

The Committee on Foreign Relations, hearing of the matter, would raise a question with the chairman of the Committee on Labor and Public Welfare. There would be a consultation between them.

I believe some aspects of this bill involve mixed jurisdiction, though the Senator from Colorado may not agree. There

are some aspects of the bill as presently worded that in my judgment would fall within the jurisdiction of the Committee on Foreign Relations. But not the scholarship aspects of it. I wish to say that the scholarship aspects of this bill are as clearly, in my judgment, within the jurisdiction of the Committee on Labor and Public Welfare as was the International Education Act. I took the International Education Act through the Senate. I reported that bill as a member of the Committee on Labor and Public Welfare.

Clearly, the education bill falls within the jurisdiction of the Committee on Labor and Public Welfare. It is a strict and straight scholarship bill in the field of foreign service, when we keep in mind what I am talking about. I am talking about foreign service not only as it gives people a chance to study within a curriculum that is offered in an institution in regard to diplomatic service, but also in regard to all the rest of the broad spectrums that I have outlined—agriculture, labor, business, foreign trade, and everything else than can be encompassed within the concept of foreign service.

When we take into account the scholarship aspects, there is no doubt, in my judgment, that the bill falls within the jurisdiction of the Committee on Labor and Public Welfare. But the bill provides for more than that. Although the Senator from Colorado [Mr. DOMINICK] makes distinctions, I submit that the bill still provides for more than that. It is a bill that sets up a new commission or a new group, including the Secretary of State and other executive officials, and Members of the Senate and House. It provides broad powers and quite sweeping jurisdiction. It has some of the aspects, or will be interpreted as having some of the aspects or some of the characteristics of an academy bill. It is a proposal which I think ought to be hammered out in hearings, and we have not had such hearings.

In view of the fact that objections have been raised, and we have a letter from the Department of State objecting to the bill in its present form, we ought to hold hearings. I think that what ought to be done is to have the Senate agree to the withdrawal of title XII, in its present form, from the bill, and to substitute nothing for it, or to make a substitution that I shall mention in a moment.

But first, I say, I think that the majority leader, the minority leader, the chairman of the Committee on Foreign Relations [Mr. FULBRIGHT], and the chairman of the Committee on Labor and Public Welfare, come next January, ought to see what accommodation they can make among themselves as to how the subject can be handled. I think there can be a clear division of jurisdiction. I do not think the Committee on Labor and Public Welfare should ever yield on the scholarship issue. I say clearly that if I am reelected and I serve as chairman of the Committee on Labor and Public Welfare next year, I shall do everything within my power to insist on what I think are the jurisdictional rights of that committee over scholarships and fellowships.

I do not believe that the Department of State, the Department of Defense,

the Department of Commerce, or any other department can ever make a case whereby it can insist that the Committee on Labor and Public Welfare should relinquish jurisdiction over the educational features of scholarships. But the proposal goes beyond that, as I have said. I think we shall have to work out an accommodation, come next January.

The Senator from Colorado has already indicated that that will not meet with his approval. But I plead with him to give us the benefit of the doubt. I am not speaking for the other members of the Committee on Labor and Public Welfare; I speak only for myself as chairman of the Subcommittee on Education. I do not think the Senate should go to a vote this afternoon either on the question of jurisdiction or on the substance of title XII as it is at present in the bill.

I think we ought to agree to its withdrawal. If we go to a vote, I think it is perfectly obvious—and the Senator from Colorado will have to give me the benefit of any doubt he has—since I have checked enough on the floor of the Senate, that we will go to a vote, but we will strike it anyway.

I do not think that would put us in the position we ought to be in come January when we try to carry out the suggestions I have made that the leadership of the Senate and of the two committees get together to make an accommodation.

I think there is one way out, if we want to take it. I have asked to have an amendment offered.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. MORSE. I shall yield in a moment.

I think the only way we can resolve the matter so that there can be no question that we are within the jurisdiction of the Committee on Labor and Public Welfare would be to eliminate the language we have in title XII and simply provide for some straight scholarships to be administered by the Department of Health, Education, and Welfare, make them available to universities where the students apply for those scholarships to matriculate in an international relations training program.

We have all sorts of scholarships for every other matter. We could do that for now and take the number of scholarships that the Senator from Colorado has in mind in regard to the bill, or a lesser amount, and just adopt a simple scholarship amendment, and then leave the broader problem for determination next January.

My preference, may I say, because I do not think we would have much of a chance to get it adopted in conference anyway—and my experience has been very educational, I think. My recommendation would be to withdraw this section from the bill and consider it anew come next January.

As far as I am concerned, if I am on the committee next January, I can give the Senator from Colorado my assurance that I will schedule early hearings on any bill that he will resubmit that will meet the test of jurisdiction of my committee.

And I assure the Senator that I will sit down with the chairman of the For-

ign Relations Committee and with the leadership of the majority and the minority and see if we can resolve the matter at that time without getting ourselves into what I think would be an unfortunate course of action here this afternoon.

Mr. DOMINICK. Mr. President, I suggest the absence of quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOMINICK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMINICK. Mr. President, I believe this debate has been fruitful. Among other things, it has pointed out pretty clearly that this is designed to be a scholarship and educational program. It was not designed to interfere with the jurisdiction of the Committee on Foreign Relations. However, I seem to be unable to convince the distinguished Senator from Alabama, and I do not see any point in going down in flames with respect to a good program.

With the assurances I have received from the Senator from Alabama and the Senator from Oregon for hearings next year on this program; with the opportunity, perhaps, to bring in the people to support this program who, I know, are in favor of it—and they are very fine educators—with great reluctance and with a considerable degree of feeling that we are moving backward instead of forward, and recognizing that I do not have the votes to win in this matter, I therefore move that title XII of this bill be deleted.

Mr. JAVITS. Mr. President, will the Senator yield before the vote on that?

Mr. DOMINICK. I yield.

Mr. JAVITS. I should like to tell the Senator that I believe he is doing the right thing. But I did not rise for that purpose. I rose to pledge him my support, to assure him that I believe this is a fresh, intelligent, and creative approach to a very great problem in American foreign policy, and to express the hope that he will, as he said, see that this child prospers and grows.

I believe he is being very wise in not jeopardizing, in a jurisdictional difference, what is a serious, important, and extensive program of great consequence to our country. I certainly wish to assure him that, as the ranking minority member of this committee—or wherever else I may be next year—I shall help him in this program.

Mr. DOMINICK. Mr. President, I thank the Senator from New York, who has been a great help.

I have been working on this type of program for well over a year now, with as much advice and consultation as I could get from people all over the country.

I regret that the words "foreign relations" seem to mean only one thing to the State Department. I have always thought the term encompassed a great number of things. Apparently, the State Department gets a fixation on certain words, and they cannot see any other meaning.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. MORSE. Mr. President, I associate myself with every word that the Senator from New York [Mr. JAVITS] has spoken.

I rise, also, to thank my colleague on the Committee on Labor and Public Welfare and on my subcommittee for his cooperation. I know how dear and close this program is to his heart; and I want him to know, as I said in committee, that I completely agree with the objectives the Senator has in mind. I pledge to him anew, come January, if I am in the Senate, that I will do everything I can to help him get early consideration of this program, and will enlarge it in any way the facts will justify our enlarging it.

I thank the Senator for his suggestion that we withdraw title XII of the bill.

Mr. DOMINICK. Mr. President, I appreciate what the Senator from Oregon has said. He has been most cooperative all the way through, and I know how hard he has fought to keep educational matters within the Education Subcommittee.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. CARLSON. Mr. President, I appreciate the decision that the Senator from Colorado has made in regard to requesting the withdrawal of this title of the bill from action by the Senate at this time. As a member of the Committee on Foreign Relations, I would have felt compelled to vote against it although the amendment does have much merit. It should have consideration and further study by the Senate Foreign Relations Committee, and I know the committee will give every consideration to this problem in the future because it is meritorious. We do need to make some studies in regard to the personnel who represent us in the international field. The Senator from Colorado [Mr. DOMINICK] has for years stressed the importance of special training in this field and the Senate, the Congress, and the Nation is indebted to him for this presentation.

I sincerely hope that next year the distinguished Senator will have not only a hearing but also a favorable response in this matter.

Mr. DOMINICK. I thank the Senator.

Mr. President, I, for one, am a little tired of the State Department thinking they have an empire of their own in which they can select everyone, through their own system, without anyone else having an opportunity to get into fields related to foreign relations, directly or indirectly, unless they come out of selected institutions. By concentrating on a certain number of colleges, they have only one viewpoint in the State Department. Unless and until we can get diverse education from colleges and universities around this country, and these people can go into fields related to foreign relations, we will continue to go downhill with the State Department.

I have fought this battle for 8 years, and I will continue to fight it.

I appreciate the consideration of the Senator from Oregon, the Senator from New York, and the Senator from Kansas.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Colorado to strike title XII of the bill.

The motion was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I understand that the Senator from Indiana has an amendment.

Mr. HARTKE. Mr. President, I send to the desk an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. HARTKE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

On line 20 of page 51 delete "1970" and substitute "1969"; on line 21 delete "1971" and substitute "1970"; on line 22 delete "1972" and substitute "1971".

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. HARTKE. I yield.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

Mr. HARTKE. Mr. President, education is the key that opens the door of opportunity for our young people. All of the distinguished Members of the Senate understand how important it is that higher education be improved and strengthened.

With the able and remarkable leadership of the distinguished Senator from Oregon, the Senate Subcommittee on Education has brought to us valuable measures for strengthening education nationally.

I believe that we should attach special importance to their wise proposal that cooperative education programs be expanded in colleges and universities.

Our young people need the experience of alternating full-time educationally related jobs with their classroom studies.

In a statewide Indiana conference a year ago, I learned personally from 265 industry, business, and educational leaders of the great need for expanding cooperative education.

The facts show that the jobs these students can fill gives them income for their costs of higher education. The taxes that they pay on the increased income that students will earn from their cooperative education jobs made possible by this legislation will more than repay the Federal Government the cost that is involved in starting these cooperative education programs.

I note that the education committee of the House of Representatives has fully recognized the practical value of expanding cooperative education. They are proposing also that the House approve the same amendment to title IV of the Higher Education Act of 1965 that is our privilege to act upon today, and pass, I am sure.

However, I would hope that the Senate would decide to have this program for expanding cooperative education begin in fiscal 1969 rather than delaying it to 1970. The bill before the House provides that this needed practical educational program should begin in fiscal 1969—and I believe that the Senate should concur in getting this program started in fiscal 1969.

It is for this reason I have offered the amendment which would only change the effective date and substitute June 30, 1969, for the present date of June 30, 1970, and make appropriate calendar changes for subsequent years.

I also point out that it is a 3-year program and is not the 5-year program of grants that was originally proposed by the distinguished Senator from California [Mr. KUCHEL] and myself, and co-sponsored by many other Senators.

Mr. President, I have discussed this measure with the distinguished Senator from Oregon, the manager of the bill. I understand his objection. Perhaps he would care to comment at this time.

Mr. MORSE. Mr. President, I am reluctantly constrained to oppose the amendment offered by the Senator from Indiana. I can well appreciate the earnest concern to get this program moving as fast as possible. I share his concern because I, too, feel that it has tremendous potentialities. However, I oppose it on behalf of the committee on the following grounds:

First, it would violate an understanding reached in committee that no new programs would be operationally funded prior to fiscal year 1970.

Earlier today the Senator from Ohio [Mr. LAUSCHE] and I talked about this matter, as he asked me questions. It was pointed out that because of fiscal problems that confront us in this country we think it important to go ahead and get programs authorized, but that they be implemented in 1970, with \$1,700,000 authorized in fiscal 1969, so that the necessary planning and arrangements for getting the program set up in 1970 could be completed by then so we can proceed with the program in 1970.

Returning to the reasons why I oppose the amendment offered by the Senator from Indiana:

Second, I would point out to the Senator that because of the unique characteristics of the program \$500,000 for research and training is provided for fiscal year 1969, thus enabling personnel to be available when the operational funds are available for fiscal year 1970.

Third, I would suggest to the Senator that since the matter is one which will inevitably be discussed in conference, it would be premature at this time to remove from the conference agenda one item which ought to be considered as part of a package agreement by locking that item into the bill with preferred status.

I hope the Senator will not wish to take from the Senate conference the bargaining position that it now has on this and other items.

Therefore, I request that the Senator withdraw the amendment.

Mr. HARTKE. I understand and I do appreciate the program which is included for research and training and the possible creation of the basic structure of this program, is available in the sum of \$500,000.

I would point out that this is probably a self-liquidating program and the earnings of the individuals are taxable, which would make it possible for almost the entire cost of the program to be liquidated.

In deference to my friend and capable leader, with the understanding that the action of the committee is not binding on the conference in regard to final disposition of the bill, I respectfully withdraw the amendment and hope the committee will give consideration to the arguments I have raised.

Mr. MORSE. I thank the Senator very much.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. LAUSCHE. Mr. President, I would like to propose a few questions to the manager of the bill. This morning we discussed table 2, dealing with new programs. These new programs will not be put into operational effect until 1970 and no moneys have been authorized for appropriation except the moneys needed to do the preliminary work.

Mr. MORSE. That is the \$1.7 million.

Mr. LAUSCHE. That is correct. This morning we talked about an error in table 2, which states that the figures are in thousands. How much will the full program that will be put into operational effect in 1970 cost as distinguished from the \$1.7 million authorized for preliminary work?

Mr. MORSE. In round numbers, \$52,152,000.

Mr. LAUSCHE. That is for 1970. For 1971 the new program will cost \$99,902,000.

Mr. MORSE. The Senator is correct.

Mr. LAUSCHE. Or the authorization will be that amount. In 1972 it will be \$86,402,000.

Mr. MORSE. The Senator is correct.

Mr. LAUSCHE. These figures, running close to \$100 million for 1971 and 1972, compare to an authorization of \$3 billion for the existing program.

Mr. MORSE. Before I answer, the Senator would have to subtract title XII, which is the title we just dropped, which means \$15 million for 1970, \$80 million for 1971, and \$80 million for 1972. That amount would be reduced.

Mr. LAUSCHE. Title XII was the Dominick proposal.

Mr. MORSE. Yes. So the 1970 figure of \$52 million, in round numbers, would be \$15 million less; the 1971 figure of \$99 million, in round numbers, would be \$30 million less; and the 1972 figure of \$86 million would be \$30 million less.

Mr. LAUSCHE. I thank the Senator. There is one further subject I wish to inquire about. In the report there is an indication that discussions were had about placing conditions in the bill that would have to be met by colleges in tak-

ing disciplinary action appropriate to the wrongs committed in riots and dissensions that occur in the colleges.

My question is, Was there any amendment offered as to the means under which control would be exercised in the assignment of the moneys if and when the college did not take disciplinary action?

Mr. MORSE. What we did in essence was to adopt language which placed the full responsibility upon the institution to handle its disciplinary problems.

Mr. LAUSCHE. The report states that the committee members concluded the best place to put the responsibility was in the individual college.

Mr. MORSE. The Senator is correct.

Mr. LAUSCHE. But my question is, Was there any amendment offered which would put teeth in withholding funds after they have taken adequate action.

Mr. MORSE. I think that a direct answer to the Senator is that we discussed a number of proposals but none was offered. It was the consensus of opinion that we should follow the course of action we followed, in placing the burden squarely on the backs of the colleges. The general argument was that we should avoid trying to run the universities for them by an assumed Federal jurisdiction.

Mr. LAUSCHE. Yes. The Senator's recollection is that no amendment was offered providing for proper discipline, or the moneys would be withheld?

Mr. MORSE. Not offered formally.

Mr. LAUSCHE. But it was discussed?

Mr. MORSE. Several of them were discussed, yes.

Mr. LAUSCHE. I think that is all. I thank the Senator.

Mr. BYRD of Virginia. Mr. President, the bill before the Senate amends the Higher Education Act of 1965. It amends the National Defense Education Act of 1958. It amends the National Vocational Student Loan Insurance Act of 1965. It amends the Higher Education Facilities Act of 1963. It amends the Economic Opportunity Act of 1964 and, to quote the title, "and related acts"—whatever they are.

The bill contains 122 pages. It became available to Senators at 10:30 a.m. today.

The committee report contains 285 pages. It, too, became available at 10:30 o'clock today.

The committee hearings total 6,584 pages, and they became available to Senators at 10:30 o'clock today.

The amount of money involved is \$14 billion over a 4-year period.

Mr. President, I readily admit that every other Member of the Senate is smarter than I am, but I am not able completely to comprehend a 122-page bill and a 6,000-page committee report in a matter of a few hours.

Perhaps it is a good way to legislate. I happen to think, though, that it probably is not.

But if the Senator from Oregon would be willing to permit me to ask him a few questions, perhaps I shall have a better understanding of the bill in a short period of time.

Mr. MORSE. I shall be very glad to do that but would the Senator first permit

this observation: I quite agree that this is not the most desirable way to legislate. I wish we were not in the position where we really have no other choice in the dying days of this session of Congress.

I give the Senator my assurance that I did everything I could to try to get the matter before the Senate at an earlier date. But I am dealing with 98 Senators who are equally as busy as I am. We had a great problem, at times, obtaining a quorum in order to act properly.

Interestingly enough, the members of my Subcommittee on Education are also chairmen of six other subcommittees and they have their problems, too. But I give the Senator this assurance: Our hearings were long and intensive. In all my years of service in the Senate, I have never seen a committee staff do as thorough and accurate a job as did the committee staff on this bill. The Senator may be assured that when we marked up the bill, we went into it in great detail and came out with a unanimous vote—which speaks pretty well for any Senate committee.

I am pleased to present the bill to the Senate today and the record on which it is based, with my assurance that it is a bill decidedly in the public interest.

Now, I am happy to do everything I can to answer the Senator's questions.

Mr. BYRD of Virginia. I thank the Senator from Oregon.

Let me say, first, that it was not my intention to criticize the Senator from Oregon.

Mr. MORSE. I know the Senator did not. Let me say that counsel for committee just said to me we also found ourselves in a situation where the old programs expired on June 30, and we had to go ahead with the bill.

Mr. BYRD of Virginia. I find that as an individual Member of the Senate, it is difficult to act logically and intelligently on a vast piece of legislation like this, which is so important—and education, of course, is of vital importance to the people of this Nation—in the short period of time available; so I am glad the committee has gone into this so thoroughly, because the Senate will have to rely a great deal on the committee.

On page 9—and elsewhere, too, but page 9 serves the purpose, I think—1972 is stricken out and 1976 inserted in lieu thereof.

Mr. MORSE. Is this the bill or the report?

Mr. BYRD of Virginia. This is the bill itself, on page 9. It strikes "1972" and inserts in lieu thereof "1976".

Is it the intent of this legislation to authorize 8 years in advance?

Mr. MORSE. No. This is a 4-year extension in this part of the student loan program. It continues until 1972, and this is an extension of the present program beyond 1972, to 1976.

Mr. BYRD of Virginia. Then is not the Senator from Virginia correct that it is an authorization extending for a period of 8 years from the present time?

Mr. MORSE. We already have it authorized for 4 years, but it will cover a total of 8 years. The Senator is correct, if that is what he means.

Mr. BYRD of Virginia. All the way through the bill "1976" is inserted in

lieu of "1972"; so that we are extending the programs, whatever they may be, for a period of 4 years beyond 1972, or 8 years from today; is that not correct?

Mr. MORSE. It is correct.

Mr. BYRD of Virginia. I am not arguing against 1976. I do not have the information. I do not know enough about it to argue that it should not be 8 years. But it seems to me that when the Senate in so many speeches which have been made in this Chamber from time to time, is saying that we are giving so much power to the Executive, and the Executive is taking so much power, why in the world do we want to authorize programs for 8 years beyond the period we are in now?

Mr. MORSE. If the Senator will permit me to read from page 60 of the committee report, that may shed some light on the question.

I read as follows:

Section 107(a). Extension of title IV-B (insured loans to students)

Subsection (a) of this section would extend for 4 years (i.e., through fiscal year 1972) the authorization for Federal insurance of student loans. During this period there would be no statutory dollar ceiling on the amount of new loans that may be so insured unless a limitation is hereafter specified by law.

Subsection (b) of this section would amend paragraph (4) of section 428(a) of the act to extend for 4 years the terminal dates for making student loans on which the Commissioner may make payments to reduce student interest costs under the insured loan program.

The testimony of the bankers and others was that we need that period of time in order to work out their programs for the loans. Once a student has been given a loan in his first year it becomes necessary to carry him in all probability for each of the remaining years of his undergraduate training. That is why for such cases when the initial loan is made in 1972 authority must be given for the succeeding years to complete the obligation we assumed.

Mr. BYRD of Virginia. I thank the Senator from Oregon.

Now, on page 50 of the bill—

Mr. MORSE. What page is it?

Mr. BYRD of Virginia. Page 50.

At the bottom of page 50 of the bill, section 231, reads:

The second sentence of section 143(b) (1) of the Economic Opportunity Act of 1964 ... is amended by striking out "(D)";

Could the Senator enlighten me as to what we are striking out in that respect?

Mr. MORSE. I will get section (D) for the Senator in a moment.

I read from page 71 of the report, part D, work-study program:

Section 231. Inclusion of proprietary schools in the work-study program

The amendments made by this section to the college work-study program would enable the Commissioner to make grants to proprietary schools which otherwise qualify as an "institution of higher education" to conduct work-study programs whereby students could be employed by public or other non-profit institutions to perform work in the public interest. In other respects, the same limitations governing work-study programs of other institutions of higher education would be applicable.

It makes the work-study program available to students in proprietary schools.

Mr. BYRD of Virginia. I thank the Senator.

I refer to page 51 of the bill, section 232, midway on that page:

Section 144(f) of the Economic Opportunity Act of 1964 is amended by striking out all that appears after "90 per centum". . . .

That is in the Economic Opportunity Act.

Mr. MORSE. The Senator may recall that last year, toward the end of the session, we were confronted with the request from the House that we increase the 75-percent contribution by the Federal Government to 85 percent, because Congress had previously changed the 90-10 formula to 75-25. The House asked for a special bill on this matter, because it was found the action we had taken was working to the great injustice of some of the small schools. My recollection now is that one of them was a YMCA college in Chicago. There was also a group of private schools that just did not have any funds to make the 25-percent matching formula, and they were going to have to do away with their work study programs, which meant they were going to many of their students.

We had a quick hearing on the problem before the committee. We brought the bill to the floor of the Senate. I remember a conversation I had with the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN] because of the emergency nature of it. We agreed to 85-15. The RECORD will show I said at that time we were going to recommend next year going back to 90-10. We had changed it to 85-15 in conference from the 75-25 formula. The House committee members assured us that they were going to go back to 90-10, but all they could do at that time was go to 85-15, in order to get the action they thought could be taken, and that they would have a hearing next year—which is this year. We have gone back to the 90-10 for the work-study program, so the small schools can stay in the program.

Mr. BYRD of Virginia. In other words, it was changed from 85 to 90 percent?

Mr. MORSE. That is correct.

Mr. BYRD of Virginia. I thank the Senator.

On page 58 of the bill, about midway down the page, the bill discusses the new Commission and it sets the per diem rate at not exceeding \$100 per diem. Is that the customary figure?

Mr. MORSE. That is the customary rate.

Mr. BYRD of Virginia. I thank the Senator.

On page 59, section 252 reads:

No grant, award, or loan of assistance to any student . . . shall be considered a duplication of benefits for the purposes of section 1781—

And so forth.

Mr. MORSE. That is a provision for veterans benefits. We found a discrimination against veterans, and we eliminated that discrimination.

Mr. BYRD of Virginia. I thank the Senator.

Could the Senator explain briefly the "adjustment of cost-of-education allowance" on page 61 and what it means?

Mr. MORSE. I beg the Senator's pardon. I did not get the last part of his question.

Mr. BYRD of Virginia. Could the Senator explain briefly what the section on page 61, captioned "Adjustment of Cost-of-Education Allowance," means?

Mr. MORSE. I read from page 73 of the report:

Section 256. Adjustment of cost of education allowance

This section would amend section 525 of the Higher Education Act of 1965 and section 404 of the National Defense Education Act of 1958 to provide for payment to institutions of higher education operating fellowship programs, of an amount consistent with prevailing practices under similar federally supported programs. This amendment would eliminate the current statutory dollar limitations in those sections on such payments.

So it brings them into line with the practices that prevail in other programs.

Mr. BYRD of Virginia. I now refer to page 62 of the bill, "Modification of Federal Share Provision," under "Community Service and Continuing Education Programs." I understand that provision changes the present formula from 50 percent to a new formula of 75 percent.

Mr. MORSE. The Senator will find the explanation on page 73 of the report, which I read:

Subsection (a) of this section would amend section 106(a) of the Higher Education Act of 1965, to provide that the Federal share of costs of State plans under this program, which dropped to 50 percent after fiscal year 1967, will again be 75 percent for fiscal years 1969 and 1970, and will drop to 65 percent for the fiscal year 1971 and 60 percent for the fiscal year 1972.

Subsection (b) provides that the amendment made by subsection (a) shall be effective with respect to grants awarded after the enactment of this act.

The testimony from State witnesses, and particularly those from small and poorer States, showed that an increase in this allowance was needed in order to prepare their State plans. In many States with a small population, many small schools in the hinterlands do not have funds. This provision will make it possible for the State organization, under a State plan, to have a little more money in order to help them prepare their local plans.

Mr. BYRD of Virginia. I thank the Senator. I now refer to page 117. That is a section that has been eliminated, I believe.

Mr. MORSE. Yes. That is a part of the Dominick section.

Mr. BYRD of Virginia. On page 121, midway down, section 702, reads:

The programs authorized by sections 303 (a) (5) and 1009 of the National Defense Education Act of 1958 shall not be consolidated with that which is authorized by title V of the Elementary and Secondary Education Act of 1965.

Will the Senator give me an indication of what that means?

Mr. MORSE. The Senator will find that on page 57 of the report, which I read:

COMMITTEE COMMENT ON SECTION 703

During committee discussion of the new programs authorized both under S. 3769, and those encompassed in the Vocational Education Act Amendments of 1968, S. 3770—

Which will be our next bill—

it was pointed out that the year preparatory to operational funding of such new programs could be a period during which the Office of Education might find itself hampered, in terms of lack of personnel and financing, in the issuance of the guidelines and regulations covering the new programs; in such areas as the appointment of advisory councils, where appropriate; for the cost of necessary travel; and for conferences convened for the purpose of disseminating information about the new programs.

The committee decided, therefore, that it would be not only appropriate, but necessary, to provide an authorization of \$1.7 million for this helpful preparatory work. This money, in the committee view, when appropriated should be used solely for the new programs established by either S. 3769 or S. 3770.

There is, however, another section to which I want to call the Senator's attention.

On page 92, the report on section 702, "Program Consolidation," reads as follows:

Subsection (a) of this section provides that the programs authorized by sections 303(a) (5) and 1009 of the National Defense Education Act of 1958 shall not be consolidated with the one authorized by title V of the Elementary and Secondary Education Act of 1965. This section of the bill further provides that so much of the appropriations for any fiscal year appropriated under title V of the latter act, which equals the maximum amount authorized to be appropriated under the above-cited provisions of the National Defense Education Act for that fiscal year, shall be deemed to have been appropriated pursuant to the second sentence of section 301 of the National Defense Education Act and pursuant to section 1009 of that act, except that this provision shall not apply during a fiscal year in which appropriations pursuant to the second sentence of section 301 and section 1009(a) of the National Defense Education Act are equal to the maximum amount authorized by those sections.

This section is to be effective July 1, 1968, and the bill provides "that it shall remain effective until expressly and specifically amended by law."

Mr. BYRD of Virginia. That brings up an additional question. In the last two lines on page 121 of the bill, the language "shall be deemed to have been appropriated" is used. Does that in any way bypass the normal appropriation process of Congress?

Mr. MORSE. Not in the opinion of the Senator from Oregon. Let me check with counsel.

Counsel would have me call the attention of the Senator from Virginia to page 128 of the committee report on the next bill, the vocational education bill, which also deals with this matter. What I shall read from now is the committee report on that bill, as follows.

Mr. BYRD of Virginia. I do not have that report.

Mr. MORSE. Let me read it, and then I will furnish it to the Senator.

A third amendment proposed by the administration would have repealed those parts of title III of the NDEA which authorize funds for State administrative expenses and State supervisory services in critical subject matter areas. The committee feels that the

administration was asking for an after-the-fact ratification of an earlier consolidation of titles III and X of the NDEA with title V of the ESEA. This committee refuses to recommend, and in section 702 or S. 3769 recommends a prohibition against such consolidation.

Mr. BYRD of Virginia. I find it difficult to grasp the full import of the Senator's statement. The terminology reads "shall be deemed to have been appropriated." I thought funds could not be appropriated until Congress had acted on an appropriation bill.

Mr. MORSE. Counsel assures me that the terminology does not appropriate money in any way.

Mr. BYRD of Virginia. That is the terminology, though. It reads that the money "shall be deemed to have been appropriated."

Mr. MORSE. Counsel advises me that this language deals with the use of funds by the Office of Education after the money is appropriated.

I have asked counsel to go over the language with the Senator and to give him the technical rule that is applied.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Any money which is appropriated for title V of ESSA which seeks to strengthen State Departments of Education in lieu of an appropriation for title III of NDEA under which people are hired in order to strengthen instruction, will be used for title III. This language makes clear, so that there can be no doubt about it—

That part of the appropriations for any fiscal year to carry out the program authorized by title V of the Elementary and Secondary Education Act of 1965 which is equal to the maximum amount authorized to be appropriated to carry out the programs authorized by sections 303 (a) (5) and 1009 of the National Defense Education Act of 1958 for that fiscal year shall be deemed to have been appropriated pursuant to the second sentence of section 301 of the National Defense Education Act and section 1009 of such Act.

Mr. BYRD of Virginia. I was alarmed at the terminology used; but from the way the Senator from Oregon has explained it, I would concur in his judgment that it does not appear to bypass the legislative process. I did not want to bring up a matter which had been settled last year, although in reading this language I was wondering whether in any way the committee was getting back to what the committee reported last year.

Mr. MORSE. I see now what is troubling the Senator from Virginia. Let me give him assurance that that is neither the intent nor the capability of the language.

Mr. BYRD of Virginia. Mr. President, I thank the Senator from Oregon. And I have no further questions.

I again find it rather difficult to comprehend such a comprehensive piece of legislation in such a short period of time. However, the answers of the Senator have been very helpful.

Mr. MORSE. I thank the Senator very much.

Mr. President, I am ready for a third reading.

Mr. JAVITS. Mr. President, I shall detain the Senate only momentarily. I, too, am ready for a third reading.

I stated a while ago that I would move an amendment to the school lunch program, and I did not indicate clearly whether it would be in the course of the consideration of the pending bill or the following bill.

The next bill to be considered, the vocational educational bill, deals also with the problem of elementary and secondary education and makes certain changes in that law. As the school lunch program obviously applies not to higher education, but to elementary and secondary education, I shall move the amendment on my own behalf and on the behalf of other Senators to the vocational education bill that will be considered later.

MINORITY CONTRIBUTIONS

I wish to call the attention of the Senate to the concurring views of the minority on the pending bill. I am very proud of the action of the minority. It represents a unanimous concurrence in the pending bill in every respect and lists some 16 creative additions by way of amendments to the higher education bill.

Mr. President, I am very pleased that the Senator from Oregon concurs that it is the function of the minority to make this contribution in a creative way to the great design of legislation such as this.

I point out that in addition to the very splendid contribution of the Senator from Colorado for a U.S. Foreign Service Corps—which he has now deferred—there are actually in the bill provisions for increasing NDEA loan forgiveness and for the forgiveness of guaranteed loans for teachers in poverty schools, authored by the distinguished Senator from Vermont [Mr. Prouty].

There are grants to reduce the borrowing costs of loans for the construction of academic facilities. We have already discussed that.

We have a constructive provision to encourage States to expand State scholarship activities by making available some matching funds which come out of the foreign scholarship program.

We have the provision for qualifying union pension funds as eligible lenders under the guaranteed loan program. We strengthen the position of the junior colleges in terms of a slightly higher percentage set aside for them in the title III program for developing institutions also, we give priorities to poverty schools in Teacher Corps programs. There are other minority amendments of major importance which I do not mention here. In every way I am very proud of the performance of the minority.

Mr. President, I ask unanimous consent that the supplemental views to

which I have referred may be printed at this point in the RECORD.

There being no objection, the supplemental views ordered to be printed in the RECORD, as follows:

SUPPLEMENTAL VIEWS

The undersigned members of the minority on the committee support the Higher Education Amendments of 1968. Our support is consistent with the historic sponsorship and support of constructive education legislation in the Congress on a bipartisan basis and our party's own traditions dating back more than a century when, in 1862, the first Morrill Act for land grant aid to colleges became law.

HIGHER EDUCATION OPPORTUNITIES FOR ALL

In our views appended to the committee report on the higher education bill in 1966 (Senate Report 1677, 89th Congress), the members of the minority on this committee stated:

As Republicans we are actively interested in achieving the goal sought by our party for more than a century—making available a higher education for all young Americans who qualify and who seek it.

We take this opportunity to reiterate—with renewed emphasis—this pledge.

Also we have strong convictions that our colleges must be institutions free of political controls and nurtured by a concerned citizenry through both public and private sources. We are particularly concerned also with the future of our Nation's private colleges, now comprising 30 percent of all enrollment, whose growth is not keeping pace with that of higher education and with our Nation's medical schools, many in dire financial straits, which are finding it increasingly difficult to produce the doctors, dentists, and other health professionals now in such short supply.

Today, State support for higher education has climbed to more than \$4.4 billion, a record high; Federal college aid stands at near \$4 billion; private contributions run at about \$1.5 billion. The rest of the \$15 billion required annually to operate the Nation's colleges and universities comes from tuition fees levied upon the student and his family. The fact that our higher educational institutions predict that by 1975 they will be spending an additional \$8 billion each year, that by 1975 college enrollments are expected to be double their present number and that tuition costs are rising each year and are expected to continue their sharp upward trend poses major problems for the years ahead.

These and other obstacles to providing an opportunity for qualified American youth can be overcome by a combination of Federal programs of aid to higher education such as authorized in this bill and such as have been proposed by minority Members of the Congress, by strengthened State and local support, and by contributions from individuals and the private sector in our economy.

We urge, too, an exercise of imagination in fostering American higher education—for example, establishment of campuses in neighborhoods and areas where substantial numbers of young people have heretofore not had available this opportunity; flexibility in study programs to meet new and changing needs; business-citizen partnership programs for institutional and scholarship support; use of computers and other new techniques both in instruction and in administration; efforts to retain the some 50 percent of all college students who drop out before graduation; new emphasis on making available opportunities for a higher education for those who because of economic, social, or other circumstances are not scaling the heights to which their talents and abilities can carry them; consideration for parents and stu-

dents of modest income who must bear the burden of ever-rising tuition costs; more economic use of existing college facilities; and encouragement and more profitable use of endowments funds by education institutions.

CONTRIBUTIONS OF THE MINORITY

We are particularly gratified to note some of the contributions of minority members of the committee to the bill as finally reported. These provisions include:

1. Increasing NDEA loan forgiveness and providing for forgiveness of guaranteed loans for teachers in poverty schools.
 2. Grants to reduce the borrowing costs of loans for the construction of academic facilities.
 3. A United States Foreign Service Corps for training of individuals for employment abroad by the U.S. Government.
 4. VISTA and Teachers Corps demonstration projects for young adult offenders.
 5. Encouraging State scholarship activities by making available 15 percent of a State's allocation of Economic Opportunity Grant funds for the needy student on an even-matching, maintenance-of-effort basis.
 6. Provide for student guaranteed loan cancellation in event of death or total disability.
 7. Expanding the scope of the Talent Search program to make more comprehensive and more effective the effort to attract minority and low-income individuals into post-secondary education.
 8. NDEA loan forgiveness for service in Armed Forces.
 9. Qualifying union pension funds as eligible lenders under the guaranteed loan program.
 10. Minimum State allocation of \$100,000 for program to attract and qualify teachers to meet critical teacher shortages.
 11. Increasing from 22 to 24 percent the set-aside for junior colleges in title III (Strengthening Developing Institutions) of the Higher Education Act.
 12. Giving priority to poverty schools in Teachers Corps programs.
 13. Amending title V of the National Defense Education Act to authorize short-term training sessions for guidance counselors in elementary and secondary schools, junior colleges, and technical institutions.
 14. Adding internships in poverty schools to Educational Professions Development Act training programs.
 15. Requiring colleges to maintain their present level of spending for cooperative education in order to receive Federal cooperative education funds.
 16. Report language to bring about equalization of disparate individuals and institutional academic support programs administered by the Office of Education and other executive agencies.
- In addition to these, the minority members were responsible for many technical improvements to the bill.

CONCLUSION

In the years ahead our Nation needs strong institutions to give high-quality education to a vastly expanded student population and to meet the challenges of new methods and ideas. As we have for more than a century, we are pledged in the Federal Establishment to continue to foster that growth, as guardians and stimulators, never as masters.

JACOB K. JAVITS.
WINSTON PROUTY.
PETER H. DOMINICK.
GEORGE MURPHY.
PAUL FANNIN.
ROBERT P. GRIFFIN.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed

for a third reading and was read the third time.

Mr. CLARK. Mr. President, I congratulate the very able senior Senator from Oregon for the magnificent way in which he has brought the pending bill to third reading without any controversial amendments.

It is a great accomplishment to bring a bill of this magnitude to the Senate and have practical unanimity in the committee and on the floor. It is a great piece of legislation and contains very important education programs.

I am particularly delighted with one aspect of the bill, on which I shall not dwell, but it has to do with the problem of Upward Bound.

I am delighted that the Senator from Oregon agreed not to raise a question as to how soon Upward Bound should be moved from the Office of Economic Opportunity into the Office of Education. We had a friendly disagreement about it. I am very glad that no question has been raised.

Mr. President, I ask unanimous consent that a letter received by Senator HILL on July 9, 1968, and signed by Bertrand Harding, Acting Director of the Office of Economic Opportunity, and a copy of a letter written by Mr. Joel Fleishman be printed at this point in the RECORD, along with an evaluation of the success of Upward Bound.

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

OFFICE OF ECONOMIC OPPORTUNITY,
EXECUTIVE OFFICE OF THE PRESIDENT,

Washington, D.C.

Hon. LISTER HILL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HILL: It has come to my attention that there is an effort on the part of some members of the House and Senate to legislate a transfer of Upward Bound to the U.S. Office of Education.

I think that this would be a serious mistake at this time and I do hope you will give such a proposal every scrutiny from your vantage point on the Senate Committee.

There are at least five reasons for my strongly-held views:

1. Upward Bound has developed a highly successful set of institutional relationships between colleges and universities, secondary schools, and ghetto and reservation communities through *Community Action*. The language of the amendment drafted by the Senate Sub Committee suggests that these excellent relationships may well be distorted or disrupted by the transfer of Upward Bound to the U.S. Office of Education.

2. Much of the success of Upward Bound lies in its ability to respond quickly and humanely to the individual needs of programs and students. The loss of "traction" which often attends administrative reorganization may place the academic momentum of the current enrollees in jeopardy. Sound program management requires adequate lead-time to effect administrative transfer.

3. The removal of Upward Bound to the U.S. Office of Education takes one of the strongest and most effective programs away from the War on Poverty and, at least programmatically, reduces the effectiveness of all anti-poverty efforts.

4. If the research and demonstration aspects of Upward Bound are transferred with the program, the proposed Senate amendment, as written, impairs the original purpose and mandate of the Office of Economic Opportunity, which was to serve as an in-

novative force in American Society. A transfer at this time would likely disrupt a dozen research and demonstration efforts initiated nationally by Upward Bound and diminish their yield as demonstration efforts.

Since the program is just now completing its second year as a national emphasis program, it can be viewed as a demonstration in itself; in two years it has not become an extensive, mature program for disadvantaged youngsters.

5. The colleges and universities which have participated generously in developing Upward Bound programs would, in the proposed amendment, be forced to restructure their institutional relationships and adjust to the workways of yet another federal agency. This readjustment may well dampen the enthusiasm which has been developed over the past three years. Additional or difference bureaucratic expectations which would attend an agency transfer may serve as the "last straw" for colleges and universities already overburdened by burgeoning enrollments, racial tensions and student unrest.

Although none of the arguments against transfer is overwhelming, they do seem to me to be compelling. For that reason I ask that you strongly support the continuation of Upward Bound in its present location—as an integral part of the *Community Action* effort within the Office of Economic Opportunity.

I have attached a copy of a letter which contains a most persuasive argument against the transfer of Upward Bound to the U.S. Office of Education. The letter was written by Mr. Joel Fleishman, Associate Provost, Yale University, and one of Upward Bound's most effective consultants. Mr. Fleishman has given me permission to share this letter with you.

I appreciate the support that you have given Upward Bound and the Office of Economic Opportunity in the past.

Sincerely,

BERTRAND HARDING,
Acting Director.

I have been very much concerned recently to hear of the suggestion that Upward Bound be transferred from the Office of Economic Opportunity to the Office of Education. Because I did not know of the seriousness with which some members of the House were considering this move, I have not written you earlier. I hope that it is not too late for an expression of views on this matter to be of some usefulness.

As you know, I have for the last two and a half years been engaged chiefly in the identification and development of talent among the racially and economically disadvantaged. I have helped to design and administer a variety of such programs at the high school, undergraduate, graduate, and profession levels. With respect to such programs, I have planned curriculum, interviewed and evaluated students, and helped to raise the necessary funds. In connection with different aspects of these programs, I have worked closely with officials of philanthropic foundations, the National Science Foundation, the Office of Education, and the Office of Economic Opportunity. I am thoroughly familiar with the Talent Search Program of the Office of Education and with the various educational programs being administered and planned by the Office of Economic Opportunity.

On the basis of my experience I am convinced that not only is there room within two different agencies of the federal establishment for two educational programs as seemingly similar as Upward Bound and Talent Search, but that it is vital for both programs' success that the separation be maintained, and that both programs be strengthened and expanded in their current locations.

There are vast reservoirs of talent among the disadvantaged populations of this country, and no single program is going to be

able to develop them efficiently and fully. Fundamentally different educational techniques are appropriate to the different populations. The educational problem which OEO has chosen to tackle through Upward Bound is essentially one involving the *motivation of underachieving students*. There are hundreds of thousands of youngsters whose family poverty and overcrowded schools have combined to depress the level of their interest in and commitment to education. Their estimates of their own ability are invariably lower than accuracy would warrant. Their performance in school is at a level significantly lower than their potential, as assessed by teachers' evaluations of them, their conduct outside the classroom, and the roles they play in their communities. The central task which must be accomplished, if those youngsters are to realize their potential, is the changing of their motivation so that they will want to master the educational system and make full use of it. If that task is to be discharged effectively, the educational philosophies, teaching techniques, subjects of study, and general approach to the students must all be appropriate for tackling the basic causes behind the students' lack of motivation in the first place.

Talent Search, on the other hand, is dealing essentially with those large numbers of students who are *educationally underchallenged*. These are students who, because of their families' economic circumstances and the geographical location in which they happen to live, do not have access to educational resources commensurate with their talents. These are students who may, in fact, be working at or beyond full capacity, but will not reach their potential because the schools available to them do not have adequate resources, either in kind or in quality, to develop it fully. With these students, the task is not significantly one involving the motivation of the students; rather it's one of providing qualitative educational opportunity to those who do not have access to it.

Both of these programs are of vital importance in the national battle for equal educational opportunity. If they are put together, it is clear to me that the kinds of students whom Upward Bound is currently saving for college will lose out in the long run. I am confident that you know well the tendency of school teachers, counselors, and administrators, even with the best of intention, to tend to reward those students who are doing well in school. That causes no real problem for Talent Search, because of the kind of students whom it is seeking. It does, however, pose a constant threat to Upward Bound, because the students whom Upward Bound serves are not the ones who are doing well by the lights of the schools which they attend. Upward Bound seems to me to have done exceedingly well on this score, but all it would take to guarantee that the Upward Bound type of student loses out is to put together in one agency two programs, the students for which are to be selected according to such divergent criteria.

The Office of Economic Opportunity has done an extraordinarily fine job with Upward Bound, and has had the full support of the educational community in its administration of the program. The magnificent record which Mr. Shriver and Dr. Frost have compiled ought to be enough reason for both keeping the program within the OEO and also strengthening it there. If that is not reason enough, I hope that your colleagues will be persuaded that the good of the students currently being served by Upward Bound and that of the many thousands like them to be served in the future requires that Upward Bound be retained within the Office of Economic Opportunity.

In this time of national agony over opportunities denied and promises unkept, there is one rock on which to build significant progress, and that is education, the chance for which must be opened to all with

the potential to take full advantage of it. There is a great need to strengthen and expand many of the educational programs currently being supported by the Federal Government, and there are many other educational programs which are worth undertaking. In Talent Search and Upward Bound, the Federal Government has two programs in which it can take great pride, but if their respective functions are to continue to be served, it is very important that they be retained in the agencies currently operating each of them.

I hope to have a chance to see you soon.

With warm regards,
Cordially,

JOEL L. FLEISHMAN.

[From Washington Monitor, Apr. 29, 1968]

NEW DATA DISCLOSE UPWARD BOUND SUCCESS

Earlier gloomy reports on the Upward Bound (UB) programs are debunked by new statistics just released by the Office of Economic Opportunity (OEO). The corrected figures show that almost 80% of all UB high school graduates have gone on to college, and 76% of this year's freshmen college group were in "good standing" following mid-term examinations. "UB students have attained approximately the same grade averages and retention rate in college as their better prepared colleagues," Thomas A. Billings, UB's national director, said. Previous reports of a lower retention rate, he added, were based on "erroneous and very preliminary statistics." Billings calls the UB retention rate "remarkable—far more successful than we expected. The fact that we can get these disadvantaged youngsters into college is remarkable, and even more remarkable is the fact that they are staying there." UB students, who have no proven academic record in high school and who are products of big-city and rural poverty, "have entered college at a higher rate than the general population (80% versus 65% for all high school graduates)," Billings said.

Billings and his staff are "impatient" with the present level of the program. They believe it should be sharply escalated from its current modest appropriation of \$30 million and 25,000 students, as recommended by the Kerner Commission. "UB is prepared to respond to 300,000 poor youngsters within the next three years, should a marked change in U.S. international commitments occur, accompanied by a corresponding reevaluation of national priorities," Billings said. But even this vast expansion, which Billings estimated would cost \$350 million per year, would include only one half of the 600,000 youngsters living in poverty who have the ability to go to college. "This untouched resource represents an enormous waste of talent," Billings declared. "An escalation to the 300,000 level would require a corresponding escalation of appropriations to the U.S. Office of Education for Educational Opportunity Grants, College Work-Study programs, and National Defense Education Act loans, since most UB graduates derive their college expenses from these sources," he said.

How does UB work? Students are recruited by UB projects now operating at 250 colleges and universities. Those selected are given intensive tutoring by college students at their school or at the OEO community center nearest their home during their junior and senior years of high school. They also spend six to eight weeks during the summer after their junior year and senior year attending a special program at the college operating their UB project. They live on campus in the college dorms, getting a taste of college life. Most of them like what they see and want to come back. They learn about a new and exciting way of life they didn't know existed. The summer program is operated by the college's UB director and the teachers are from college and high school faculties. College students serve as tutors and live with the students in the dorm. The program stresses academic work, cultural enrichment,

and field trips. For their part, colleges waive admission standards and provide special counseling and tutoring at their own expense when the student enters the regular college program. The student UB seeks is the underachiever who can be motivated to succeed by exposure to ideas and experience and by people who have confidence in his ability. Student cost per year is \$1,250.

COOPERATIVE EDUCATION—DECISIVE SUPPORT ON EDUCATION

Mr. KUCHEL. Mr. President, I rise to commend the distinguished members of the Senate Subcommittee on Education for providing once again the kind of bipartisan and workmanlike product which has had such a decisive impact on the development of educational opportunity in our country. I am particularly pleased that the committee has seen fit to include a provision for a program in cooperative education. In 1967, I joined with the distinguished senior Senator from Indiana [Mr. HARTKE] in offering a proposal to provide planning and operational grants to colleges offering their students an opportunity to participate in programs which alternate periods of work and academic experience. Today that initiative is coming to the fore.

The efforts of the National Commission on Cooperative Education, the Ford Foundation, and large number of private enterprises and academic institutions throughout this country have in recent years greatly multiplied activity in cooperative education. We are now only beginning to learn the full range of value in applying the concept of "spaced learning." This concept permits a fruitful interplay of the influences of work experience on the one hand and academic training on the other.

"Working your way through college" is a traditional American idea—particularly the western region of our Nation. The idea of offering students an opportunity to earn their own financial support is closely attuned to the traditional American concept of self-help. But cooperative education is far more than this. It provides opportunities for social and economic adjustment to students who have not enjoyed the full advantages of our abundant American society. It gives them an opportunity to orient their training directly toward work experience and later social adjustment.

As hearings before the Education Subcommittee have shown, the use of cooperative education techniques has proved particularly valuable as a vital social bridge for those students who need to be brought into the mainstream of American life.

The president of Wilberforce University, in Ohio, the Nation's oldest Negro university, recently testified that cooperative education programs have reinvigorated and given new hope to Negro students seeking to move out of racial isolation. In the past, Negro college students in the Border States have confined their goals to so-called "prestige" employment in the ministry or teaching. Today, by virtue of the alternation between work experience and a periodic return to academic institutions, there are new possibilities for students who would otherwise hesitate to vault in one jump the hurdles of segregation. There is a new desire and opportunity to become

engineers, accountants, and businessmen. The student body at Wilberforce has tripled. The capability of these long-established Negro institutions to provide a meaningful bridge to modern society has greatly expanded.

For those who possess the advantages of education, there is opportunity. There is a growing stream of information to help us understand our changing world. Data is no longer a mere luxury but a necessity, as our daily problems become more complex. But what of our urban poor who cannot use these tools? What of the frustration of youth in the Mexican barrio, in Hunter's Point, or Watts to whom many meanings of our modern society are lost?

There is a growing gap between those able to increase their understanding fast enough to keep pace with the changing world and those condemned to increasing exclusion from the world of knowledge. If we are to find the technicians of tomorrow, we ought to seek no farther than those who have been cruelly disenfranchised in the communications revolution. Prudent economics suggests this course, a sense of responsible democracy demands it.

I commend the committee for its wisdom in including the cooperative education program in this bill and I urge them to see that it successfully passes into the laws of this Nation.

Mr. NELSON. Mr. President, I rise in support of S. 3769, the Higher Education Amendments of 1968. I want to join my colleagues on the Labor and Public Welfare Committee in saluting the distinguished chairman of the Education Subcommittee on his tireless efforts in bringing this fine bill to the Senate floor. This legislation will continue and improve many of the vital programs that the Congress has enacted in the fields of higher education, student financial assistance, higher education facilities and related programs.

This bill also authorizes the establishment of a new program to recruit and train teaching assistants for service in elementary and secondary schools as part of the Teacher Corps Program. I was very gratified that the committee accepted my amendment to create this promising program.

I believe that there are tens of thousands of dedicated young college graduates as well as interested and qualified residents of local communities who are eager to serve for a year or more in poverty area schools where skilled staff assistance is desperately needed.

In general, these individuals do not plan to follow careers in education but possess advanced verbal and mathematical skills that could effectively be applied in tutorial and small group instruction in disadvantaged schools.

Under the teaching assistant program, these individuals would be assigned upon the request of local school systems to work with existing Teacher Corps intern teams across the country.

For years, colleges and universities have used teaching assistants to relieve pressure on professors and other instructors. Elementary and secondary schools

could also benefit from using teaching assistants in this manner.

The teaching assistants would be given 2 to 3 months of preservice training similar to the present training given to regular Teacher Corps interns. This preservice instruction has been proven highly successful in preparing interns for teaching roles in the school.

As members of a Teacher Corps team, teaching assistants would be under the supervision of a team leader from the local school and would be under the complete control of the local school system.

They would be compensated at a rate of \$75 a week or the beginning salary in the school system, whichever is less, just as Teacher Corps interns are paid.

This new program will open the doors of poverty area classrooms across the Nation to dedicated, skilled teaching assistants who will bring new enthusiasm and new manpower to the task of teaching disadvantaged children.

While this new program will supplement the existing Teacher Corps program to a certain degree, I would like to make clear that it is not my intent and not the intent of the committee that the teaching assistant program be initiated at the expense of the existing Teacher Corps program.

While my original amendment authorizing the establishment of the teaching assistant program included increased funding for the Teacher Corps, the committee felt that a request for expanded funding now would be fruitless since the program has not received appropriations amounting to even half of its present authorization figures.

I would like to emphasize the committee's declaration that the administration request adequate funds in the 1970 budget to expand the regular Teacher Corps program as well as launch the teaching assistant program at a meaningful level.

In regard to the subject of appropriations for the Teacher Corps program, I would like to ask unanimous consent that the editorials on this topic that appeared recently in the New York Times and the Washington Evening Star be placed in the Record at this point.

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

[From the New York Times, July 12, 1968]

TEACHERS, NOT NIGHTSTICKS

"The Teacher Corps should be expanded into a major national program." So said the National Advisory Commission on Civil Disorders in its far-reaching report. But unless Congress moves quickly, the Teacher Corps will be neither national nor major nor a program worthy of the name.

In the last two years the Teacher Corps under the Department of Health, Education, and Welfare has gone where the action is—into the troubled schools and communities of the nation. Able college graduates have participated in a program of professional training and service in poverty-area school systems.

But a parsimonious House has voted only \$15 million for fiscal 1969—actually \$2 million less than this year. If this pittance for slum teaching stands, it would mean only about 800 new interns would be able to sign up. The Teacher Corps could train 1,500 dedicated graduates if its requested \$31 million

were granted. This sum would enable interns to be placed in more than fifty cities.

Applications are on hand from over 10,000 young Americans, black and white, who have volunteered to go to work in slum schools and contribute community programs. Most are this year's graduates, and they are willing to work for subsistence wages. To deny thousands of potential teachers this opportunity is to shortchange the communities that can profit most by education.

In their stress on "law and order," let Congressmen think of sending teachers in preference to nightsticks into the areas of underprivileged America.

[From the Washington (D.C.) Evening Star, July 5, 1968]

TEACHER CORPS

The economy ax in the House of Representatives cut deeply last week into a broad spectrum of worthy educational programs. One activity, however, the Teacher Corps sustained a blow which stands as a momentous example of congressional shortsightedness.

The Teacher Corps evolved three years ago from a premise that perhaps the very best thing that could happen to schools in urban ghettos and backward rural areas might be a new breed of teachers—a corps of young, tough, intelligent, idealistic college graduates motivated toward teaching careers in this country by much the same drives which have filled the ranks of the Peace Corps overseas.

There is no reason to question the validity of that concept in terms of the attitudes and the performances of the first group of several hundred teaching interns to emerge from their two-year training periods this month. Yet, rather than expanding, the size of the corps would be reduced by the action of the House last week below the levels at which the program began. Less than a thousand new recruits could be enrolled this fall. And the ultimate irony is that 10,000 dedicated young college graduates are ready and eager to serve.

The \$31.2 million sought by the administration for the next fiscal year was not excessive. It got from the House, however, \$15 million—\$2.3 million below the last 12 months' appropriations. That action was a miscarriage of judgment which the Senate surely will not allow to stand.

Mr. NELSON. Mr. President, the House has appropriated only \$15 million for the program in the coming year, a cut of over 50 percent from the administration's request for \$31.2 million and, indeed, \$2.3 million less than was spent during the last 12 months. If this figure were to be the final appropriations, the program would be able to enroll fewer than 1,000 of the approximately 10,000 young Americans who have offered to serve as teachers in poverty schools through the Teacher Corps at a time when the education crisis is most acute.

It is my hope and that of many of my colleagues that the Senate Appropriations Committee will approve the full administration request for the program in order to continue this vital program at an effective level for the coming year.

Mr. MURPHY. Mr. President, as a member of the Education Subcommittee, I strongly support S. 3769, the Higher Education Amendments of 1968. This is a good bill that our committee is recommending and it deserves the enthusiastic support of the Senate.

This bill is a result of extensive hearings and many executive sessions. I feel certain that the legislation will be wel-

comed by the academic community and will do much to strengthen higher educational institutions and expand educational opportunities for our citizens. As stated in the Senate Report, S. 3769 will:

In title I, extend the expiring provisions of:

The Higher Education Act of 1965, as amended.

The Higher Education Facilities Act of 1963, as amended.

The National Defense Education Act of 1958, as amended.

The International Education Act of 1966.

The National Vocational Student Loan Insurance Act of 1965.

Section 12 of the National Foundation on the Arts and Humanities Act of 1965.

In title II, amend student assistance provisions of title IV of the Higher Education Act of 1965; establish a new program of assistance to institutions of higher education in the area of cooperative education, and modify provisions of the college work-study program.

In title III amend other titles of the Higher Education Act of 1965 including:

Community service and continuing education programs (title I).

College libraries, research and training (title II).

Strengthening developing institutions (title III).

Education professions development (title V).

Instructional equipment (title VI).

General provisions (title VII).

In title IV amend the Higher Education Facilities Act of 1963 with respect to eligibility for grants and to authorize certain contracts to provide grants to reduce the cost of borrowing.

In title V amend the National Defense Education Act of 1958 to: Provide for an adequate distribution of fellowships under title IV and for short term guidance and counseling institutes and to include the Trust Territory of the Pacific Islands.

In title VI to provide for new educational programs including as new titles to the Higher Education Act of 1965 the following:

Title VII—Networks for knowledge;

Title IX—Education for public service;

Title X—Improvement of graduate programs; and

Title XI—Law school clinical experience program;

I particularly want to applaud the amendments to title III of the Higher Education Act. It will provide for grants to reduce the borrowing cost of loans for the construction of academic facilities. With the administration's cutback in the Federal grant programs for school construction of 85 percent from last year's appropriations this program should help institutions of higher education to keep pace with the demands which, according to our committee, will require between 1.5 billion and 2.2 billion yearly in the construction. I have had letters from numerous California colleges and universities pointing out their construction needs and I am hopeful that this proposal will be of help to them.

The student loan and grant programs—work-study, NDEA student loans, the guaranteed loans, and the educational opportunity grants—are most important in helping students and their parents meet rising educational costs. Their extensions will help to make available a higher education for all students who qualify or require one.

Also, I support the extension of NDEA. This year marks the 10th anniversary of this act and its accomplishments are well documented. NDEA is received enthusiastically throughout the United States. I also, of course, support the other provisions of the bill. Time, however, will not permit me to comment on all of them. I do want to speak briefly on one new program authorized by the bill which I think will be of great significance. I am enthusiastic about the professors emeritus which is added to title III of the Higher Education Act of 1965. The idea of this amendment is to enable and to encourage professors who are forced to retire, to continue their teaching at one of the Nation's developing institutions. Many outstanding professors face early retirement requirements, not withstanding the fact they they may enjoy excellent health and have many successful teaching years remaining. At the same time, we have, particularly among the developing institutions, a crying need for professors of high caliber. This, then, as the Senate report says: "will make possible a marriage of interest between developing educational institutions which need competent faculty, and professors who, merely because of age, face compulsory retirement from a developing institution." No better example of the practicability and the merits can be found than Hastings School of Law in California. Hiring many retired law school professors, they have acquired many of the leading legal authorities in the Nation and the law school is well known and highly respected throughout the country.

I do hope that many of the professors will take advantage of this provision and lend of their talents and energies in helping to strengthen and raise the quality of our developing institutions.

In closing, I want to compliment the distinguished chairman of the Education Subcommittee for his usual thoughtfulness and for his leadership ability in bringing this bipartisan measure to the Senate floor. Certainly, the bill is a tribute to his effort.

STUDENT APPLICATIONS FOR LOANS AND GRANTS

Mr. WILLIAMS of New Jersey. Mr. President, a significant period of time has been spent in the Education Subcommittee and the full Labor and Public Welfare Committee discussing the entire question of who is receiving financial assistance, particularly loans and grants under title IV of the Higher Education Act of 1965 and title II of the National Defense Education Act of 1958. Under existing procedures, individual participating institutions determine who benefits from these programs. An amendment was offered in committee which would instruct the Commissioner to set up, by regulation a student appeal process which would permit a student who was denied a grant or loan alleging "discriminatory treatment or improper consideration" of his application to appeal to the Commissioner. Under the provisions of the amendment, the Commissioner could investigate any complaints he deemed to be bona fide and require first, the making of a grant or loan in any case in which he found the allegation of

the complaint to be substantiated at such time as the necessary funds were available, or second, revised procedures in the consideration of applications in the case of any institution of higher learning where he found a consistent pattern of discriminatory treatment or improper consideration of such applications.

The members of the committee felt that this amendment needed some additional documentation and institutions of higher learning and others should be given an opportunity to testify on this process. The subcommittee plans to hold hearings on the merits of this approach. I believe that those who need loans and grants should be getting them. In the meantime, I intend to ask the Commissioner of Education to report to the Education Subcommittee on the merits of this appeal process and document, with information available to that Office, any suspected or demonstrated examples of loan or grant denials on the basis of discriminatory, or improper consideration of their application. This documentation I hope will include but not be limited to such things as: Evidence of racial discrimination and incomplete definition of "financial need"; inadequate or improper advertising or advance notice of application deadlines and procedures.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Maryland [Mr. BREWSTER], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alaska [Mr. GRUENING], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Missouri [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from South Dakota [Mr. MCGOVERN], and the Senator from Florida [Mr. SMATHERS], are necessarily absent.

I also announce that the Senator from Indiana [Mr. BAYH], and the Senator from Maryland [Mr. TYDINGS] are absent on official business.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Maryland [Mr. BREWSTER], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alaska [Mr. GRUENING], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Missouri [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Florida [Mr. SMATHERS], and the Senator from Maryland [Mr. TYDINGS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT] and the Senator from South Carolina [Mr. THURMOND] are absent on official business.

The Senator from South Dakota [Mr. MUNDT] and the Senator from Oregon [Mr. HATFIELD] are necessarily absent.

If present and voting, the Senator from Colorado [Mr. ALLOTT], the Senator from Oregon [Mr. HATFIELD], and the Senator from South Carolina [Mr. THURMOND] would each vote "yea."

The result was announced—yeas 83, nays 0, as follows:

[No. 211 Leg.]
YEAS—83

Aiken	Hansen	Morton
Anderson	Harris	Moss
Baker	Hart	Murphy
Bennett	Hartke	Muskie
Bible	Hayden	Nelson
Boggs	Hickenlooper	Pastore
Brooke	Hill	Pearson
Burdick	Holland	Pell
Byrd, Va.	Hollings	Percy
Byrd, W. Va.	Hruska	Prouty
Cannon	Inouye	Proxmire
Carlson	Jackson	Randolph
Case	Javits	Ribicoff
Church	Jordan, N.C.	Russell
Clark	Jordan, Idaho	Scott
Cooper	Kuchel	Smith
Cotton	Lausche	Sparkman
Curtis	Long, La.	Spong
Dirksen	Mansfield	Stennis
Dodd	McClellan	Symington
Dominick	McGee	Talmadge
Eastland	McIntyre	Tower
Ellender	Metcalf	Williams, N.J.
Ervin	Miller	Williams, Del.
Fannin	Mondale	Yarborough
Fong	Monroney	Young, N. Dak.
Gore	Montoya	Young, Ohio
Griffin	Morse	

NAYS—0
NOT VOTING—16

Allott	Hatfield	Mundt
Bartlett	Kennedy	Smathers
Bayh	Long, Mo.	Turmond
Brewster	Magnuson	Tydings
Fulbright	McCarthy	
Gruening	McGovern	

So the bill (S. 3769) was passed.

Mr. MORSE. Mr. President, I ask unanimous consent to have the bill, S. 3769, printed as passed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLAND. Mr. President, I wish to make a statement in connection with my voting for the bill which has just been passed.

I voted for the bill this year not only because I believe there are many good features in it, as there have been in the preceding bills which I have voted against, but for one particular reason which I believe should be mentioned in the RECORD. That reason is that the Supreme Court has recently agreed to review the question of whether or not Federal grants can be made from the public purse to church-related and church-controlled institutions.

That had not been the ruling heretofore. We have previously, on several occasions, passed the bill offered by my distinguished friend, the Senator from North Carolina, but that bill never got through the House. The purpose of the bill would have been to allow and require a review of that kind.

Since such a review has now been accepted by the Supreme Court as something it will make, it alters this situation.

I want to say, however, there are some features in this bill as to which I think the amounts authorized are excessive and there are some periods of time stated

in the authorization of this bill which I think are excessive.

I reserve the right and I announce the intention as a member of the Committee on Appropriations to very seriously consider reductions in some of the amounts authorized. I also will expect to seriously review the question of time covered by this bill because the periods covered are entirely too long, in my opinion, in some titles of the bill.

Mr. MANSFIELD. Mr. President, it is always a pleasure to witness the distinguished senior Senator from Oregon [Mr. MORSE] manage a measure—particularly a measure dealing with education. His record in this area is unsurpassed. His vast knowledge of the subject matter is unexcelled. His handling of the higher education proposal met the same high standards he established long ago. Its passage unanimously underscores once again the great esteem in which the Senator from Oregon is held. Once again the Nation is in his debt.

Joining him in this endeavor was the distinguished chairman of the Committee on Labor and Public Welfare, the Senator from Alabama [Mr. HILL]. His outstanding contribution—both in committee and here in the Chamber—was indispensable to this great success. Also to be commended is the Senator from Vermont [Mr. PROUTY] who has always left his indelible stamp on education measures as the ranking minority member of the subcommittee.

And to the distinguished senior Senator from New York [Mr. JAVITS] goes our commendation for joining so capably to assure swift and efficient action. His wide familiarity with the bill helped immensely.

Senator YARBOROUGH, Senator DOMINICK, Senator RANDOLPH, and Senator CLARK are also to be singled out for their support and assistance. Each made valuable additions to the debate. Their views are always most welcome. And I wish to thank also the distinguished minority leader [Mr. DIRKSEN] for bringing his careful and thoughtful views before us as did the Senator from Alabama [Mr. SPARKMAN] and the Senator from Ohio [Mr. LAUSCHE]. Indeed, all of these Senators aided the Senate immensely in the disposition of this all-important measure. The Senate as a whole can be duly proud of its accomplishment. Proudest of all, however, may be Senator MORSE.

VOCATIONAL EDUCATION AMENDMENTS OF 1968

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 18366.

The PRESIDING OFFICER (Mr. CANNON in the chair) laid before the Senate the bill (H.R. 18366) to amend the Vocational Education Act of 1963, and for other purposes.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate

proceeded to consider the bill, which was read twice by its title.

Mr. MORSE. Mr. President, I move to strike out all after the enacting clause and insert the language of S. 3770, as reported, in lieu thereof.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oregon.

The motion was agreed to. The amendment, in the nature of a substitute, is as follows:

SHORT TITLE

SECTION 1. This Act may be cited as the "Vocational Education Amendments of 1968".

TITLE I—AMENDMENTS TO THE VOCATIONAL EDUCATION ACT OF 1963

ACT AMENDMENTS

SEC. 101. (a) The Act of December 18, 1963, Public Law 88-210 (77 Stat. 403 et seq.), is amended—

(1) by redesignating parts B and C thereof as titles II and III and redesignating sections 21 through 28 and 31 through 33, and all references thereto, as sections 201 through 208 and 301 through 303, respectively;

(2) redesignating part A thereof as title I, and

(3) adding after the enacting clause, the following:

"That title I of this Act may be cited as the 'Vocational Education Act of 1963'."

(b) Title I of such Act (as redesignated by subsection (a)) is amended to read as follows:

"TITLE I—VOCATIONAL EDUCATION

"PART A—GENERAL PROVISIONS

"DECLARATION OF PURPOSE

"SEC. 101. It is the purpose of this part to authorize Federal grants to States to assist them to maintain, extend, and improve existing programs of vocational education, to develop new programs of vocational education, and to provide part-time employment for youths who need the earnings from such employment to continue their vocational training on a full-time basis, so that persons of all ages in all communities of the State—those in high school, those who have completed or discontinued their formal education and are preparing to enter the labor market, those who have already entered the labor market but need to upgrade their skills or learn new ones, those with special educational handicaps and those in postsecondary schools—will have ready access to vocational training or retraining which is of high quality, which is realistic in the light of actual or anticipated opportunities for gainful employment, and which is suited to their needs, interests, and ability to benefit from such training.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 102. There are hereby authorized to be appropriated \$575,000,000 for the fiscal year ending June 30, 1970, and \$750,000,000 for the fiscal year ending June 30, 1971, and for the fiscal year ending June 30, 1972, for the purpose of making grants in accordance with the provisions of parts B, C, D, and E of this title: *Provided*, That, except as provided in section 106, of the sums appropriated for any fiscal year pursuant to this section, 70 per centum shall be for grants pursuant to part B of this title, 10 per centum shall be for grants pursuant to part C of this title, 10 per centum shall be for grants pursuant to part D of this title, and 10 per centum shall be for grants pursuant to part E of this title. There are further authorized to be appropriated for each fiscal year ending prior to July 1, 1973, such sums as may be necessary to pay the cost of the administration of State plans, the activities of advisory councils created under this title and

the evaluation and dissemination of activities required pursuant to this title.

"ALLOTMENTS AMONG STATES

"SEC. 103. (a) The Commissioner shall allot the sum appropriated for any fiscal year pursuant to section 102 among the States on the basis of the number of persons in the various age groups and the per capita income in the respective States as follows:

"(1) An amount which bears the same ratio to 55 per centum of such sum as the product of the population aged fifteen to nineteen, inclusive, in the State and the State's allotment ratio bears to the sums of the corresponding products for all the States; plus

"(2) An amount which bears the same ratio to 30 per centum of such sum as the product of the population aged twenty to twenty-four, inclusive, in the State and the State's allotment ratio bears to the sum of the corresponding products for all the States; plus

"(3) An amount which bears the same ratio to 15 per centum of such sum as the product of the population twenty-five to sixty-five, inclusive, in the State and the State's allotment ratio bears to the sum of the corresponding products for all the States;

"(b) The amount of any State's allotment under subsection (a) for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the program for which such amount has been allotted shall be available, from time to time, for reallocation or grants, on such dates during such year as the Commissioner shall fix, on the basis of criteria established by regulation, first among programs authorized by other parts of this title within that State and then among other States. Any amount reallocated to a State under this subsection for any fiscal year shall remain available for obligation during the next succeeding fiscal year and shall be deemed to be part of its allotment for the year in which it is obligated.

"(c) (1) The 'allotment ratio' for any State shall be 1.00 less the product of—

"(A) 0.50, and

"(B) the quotient obtained by dividing the per capita income for the State by the per capita income for all the States (exclusive of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), except that (i) the allotment ratio in no case shall be more than 0.60 or less than 0.40, and (ii) the allotment ratio for Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall be 0.60.

"(2) The allotment ratios shall be promulgated by the Commissioner for each fiscal year between July 1 and September 30 of the preceding fiscal year. Allotment ratios shall be computed on basis of the average of the appropriate per capita incomes for the three most recent consecutive fiscal years for which satisfactory data is available from the Department of Commerce.

"(3) The term 'per capita income' means the total personal income in the calendar year ending in such year, divided by the population of the area concerned in such year.

"(4) For the purposes of this section population shall be determined by the Commissioner on the basis of the latest estimates available to him.

"NATIONAL AND STATE ADVISORY COUNCILS

"SEC. 104. (a) (1) There is hereby created a National Advisory Council on Vocational Education (hereinafter referred to as the 'National Council') consisting of twenty-one members appointed by the President, without regard to the civil service laws for terms of three years, except that (i) in the case of the initial members, seven shall be appointed for terms of one year each and seven shall be

appointed for terms of two years each, and (ii) appointments to fill vacancies shall be only for such terms as remain unexpired. The Council shall include persons—

"(A) representative of labor and management, including persons who have knowledge of the semi-skilled, skilled, and technical employment in such occupational fields as agriculture, home economies, distribution and marketing, health, trades, manufacturing, office and service industries, and persons representative of new and emerging occupational fields.

"(B) familiar with manpower problems and administration of manpower programs,

"(C) knowledgeable about the administration of State and local vocational education programs, including members of local school boards,

"(D) experienced in the education and training of handicapped persons,

"(E) familiar with the special problems and needs of individuals disadvantaged by their socio-economic backgrounds,

"(F) having special knowledge of postsecondary and adult vocational education programs, and

"(G) representative of the general public who are not Federal employees, including parents and students, except that they may not be representative of categories (A) through (F), and who shall constitute no less than one-third of the total membership. The National Council shall meet at the call of the Chairman, who shall be selected by the President, but not less than four times a year.

"(2) The National Council shall—

"(A) advise the Commissioner concerning the administration of, preparation of general regulations for, and operation of, vocational education programs supported with assistance under this title;

"(B) review the administration and operation of this title, including the effectiveness of such programs in meeting the purposes for which they are established and operated;

"(C) review State plans submitted under this title and advise the Commissioner respecting approval thereof;

"(D) review, evaluate, and transmit at least annually to Congress and the President all reports, evaluations, and materials submitted to the National Council pursuant to subsection (b);

"(E) conduct independent evaluations of programs carried out under this title and disseminate the results thereof;

"(F) make recommendations for the improvement of the administration and operations of this title, including recommendations for legislative changes in this title; and

"(G) prepare an annual report on its evaluations, recommendations, and other activities and on vocational education and its effectiveness in meeting the need for vocational education throughout the Nation and submit such report to the Congress and the President before January 31 of each year;

"(3) Members of the National Council who are not regular full time employees of the United States shall, while serving on business of the National Council, be entitled to receive compensation at rates fixed by the President, but not in excess of \$100 per day, including travel time; and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in Government service employed intermittently.

"(4) The National Council is authorized, without regard to the provisions of title 5 of the United States Code, to appoint, and fix the compensation of, such professional and technical personnel as may be necessary to enable it to carry out its duties and to contract for such services as may be necessary to carry out its evaluation functions.

"(5) The National Council shall review the possible duplication of vocational education programs at the postsecondary and adult levels within geographic areas, and shall make annual reports of the extent to which such duplication exists, together with its findings and recommendations, to the Secretary. In making these reports, the Council shall seek the opinions of persons familiar with postsecondary and adult vocational education in each State from schools, junior colleges, technical institutes, and other institutions of higher education as well as from State boards of education, State junior college boards, and State boards of higher education, and persons familiar with area schools, labor, business and industry, accrediting commissions, proprietary institutions, and manpower programs.

"(b) (1) Any State which desires to receive a grant under this title for any fiscal year shall establish a State Advisory Council, appointed by the State board as defined in section 109, which shall—

"(A) include as members persons—

"(i) familiar with the vocational education needs and the problems of management and labor in the State, and persons representing State industrial and economic development and planning agencies,

"(ii) representative of community and junior colleges, area vocational schools, technical institutes, and other post-secondary or adult education agencies or institutions which may provide programs of vocational or technical education and training, and other institutions of higher education.

"(iii) familiar with the administration of State and local vocational education programs, and persons having special knowledge, experience, or qualifications with respect to vocational education who are not involved in the administration of State or local vocational education programs,

"(iv) representing local educational agencies which serve large numbers of academically, socially, economically, and culturally disadvantaged students, and persons having special knowledge, experience, or qualifications with respect to the special educational needs of disadvantaged students,

"(v) having special knowledge, experience, or qualifications with respect to the special educational needs of physically or mentally handicapped persons,

"(vi) who are members of school boards, and

"(vii) representative of the general public such as members of parent-teachers associations and youth groups;

"(B) advise the State board on—

"(i) the development of and policy matters arising in the administration of the State plan submitted pursuant to part B of this title, including the preparation of long-range and annual program plans pursuant to paragraphs (5) and (6) of section 123(a),

"(ii) the disposition of applications for funds under this title which has been submitted to it;

"(iii) the results of research findings throughout the Nation and their applicability to vocational and technical education problems in the State,

"(iv) the success of exemplary or innovative vocational or technical education programs in the Nation which may be established within the State with funds available under parts D and E of this title.

"(v) the development of applications of the State for grants under part E of this title and the administration of programs assisted with funds under such part,

"(vi) the distribution of funds and services among the several purposes and local educational agencies within the State,

"(C) evaluate vocational education programs, services, and activities assisted under this title, and disseminate the results thereof, and

"(D) prepare and submit through the State board to the Commissioner and to the National Advisory Council on Vocational Education established by subsection (a) an annual evaluation report, accompanied by such additional comments of the State board as the State board deems appropriate, which (1) evaluates the effectiveness of vocational education programs, services, and activities carried out in the year under review in meeting the program objectives set forth in the long-range program plan and the annual program plan provided for in paragraphs (5) and (6) of section 123(a), and (11) recommends such changes in such programs, services, and activities as may be warranted by the evaluations.

"(2) Not less than ninety days prior to the beginning of any fiscal year in which a State desires to receive a grant under this title, that State shall certify the establishment of, and membership of, its State Advisory Council to the Commissioner. Such certification shall also contain such other information as the Commissioner may prescribe by regulation concerning the status and membership of State Advisory Councils.

"(3) Each State Advisory Council shall meet within thirty days after certification has been accepted by the Commissioner and select from among its membership a chairman. The time, place, and manner of meeting shall be as provided by the rules of the State Advisory Council, except that such rules must provide for not less than one public meeting each year at which the public is given opportunity to express views concerning vocational education.

"(4) Members of the State Advisory Councils shall, while serving on the business of the State Advisory Council, be entitled to receive compensation at rates fixed by regulation but not in excess of \$50 per day from Federal funds; and, while so serving away from their homes or regular places of business, they shall be allowed such travel expenses and subsistence as may be fixed by regulation.

"(5) State Advisory Councils are authorized to appoint and fix the compensation of such professional and clerical personnel as may be necessary to enable them to carry out their functions under this title and to contract for such services as may be necessary to enable them to carry out their evaluation functions.

"(6) The State Advisory Councils shall consult with and utilize the services of consultants representative of manpower agencies (including the cooperative area manpower planning system of the State) and private vocational schools.

"(c) From the sums appropriated pursuant to the second sentence of section 102 for any fiscal year, the Commissioner is authorized (in accordance with regulations) to pay to each State Advisory Council an amount equal to the reasonable amounts expended by it in carrying out its functions under this title each fiscal year, except that in no case shall such amount be in excess of an amount equal to 1 per centum of the State's allotment under section 103, or \$100,000, whichever ever is greater.

"FEDERAL ADMINISTRATION"

"Sec. 105. (a) The Commissioner may delegate any of his functions under this title, except the making of regulations, to any officer or employee of the Office of Education.

"(b) In administering the provisions of this title, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or private agency or institution in accordance with appropriate agreements, and to pay for such services either in advance or by way of reimbursement, as may be agreed upon.

"(c) In administering the provisions of this title, the Commissioner shall consult with the Department of Labor and with other Federal departments and agencies ad-

ministering programs which may be effectively coordinated with programs carried out pursuant to this title, and to the extent practicable with the purposes of this title shall (1) coordinate such programs on the Federal level with the programs being administered by such other departments and agencies, and (2) require that effective procedures be adopted by State and local authorities to coordinate the development and operation of programs and projects carried out under this title with other public and private programs having the same or similar purposes.

"(d) Nothing contained in this title shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system.

"EFFECT OF INSUFFICIENT APPOINTMENTS"

"Sec. 106. During any fiscal year in which appropriations to carry out this title are not in excess of \$300,000,000, 90 per centum of the appropriations for that fiscal year shall be for grants to States under part B of this title, and 10 per centum of such appropriations shall be for grants and contracts under part C of this title, except that, unless appropriations for that fiscal year are less than the total amount of appropriations for grants under this Act and the George-Barden Act (that is, the Act of June 8, 1936, as amended) for the fiscal year ending June 30, 1969, the amount allotted to any State for the purposes of part B of this title shall not be less than the total amount allotted to such State under this and the George-Barden Act during such year.

"LABOR STANDARDS"

"Sec. 107. All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this part shall be paid wages at rates not less than those prevailing as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 1332-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

"LIMITATION OF PAYMENTS UNDER THIS TITLE"

"Sec. 108. (a) Nothing contained in this title shall be construed to authorize the making of any payment under this title for religious worship or instruction, or for the construction, operation, or maintenance of so much of any facility as is used or to be used for sectarian instruction or as a place for religious worship.

"(b) In the case of any program or project assisted with funds appropriated pursuant to section 102 which involves work-study or work experience programs for students—

"(1) preference in work for which students are compensated from Federal funds shall be given to students from low-income families and to students who are in need of the earnings from employment to enter, reenter, or remain in school;

"(2) such program or project may not result in the displacement of employed workers or impair existing contracts for services; and

"(3) no compensation may be paid from Federal funds to a student for work for profitmaking employers, except that such employers may be reimbursed for the reasonable cost of work experience programs when the work performed by students is manifestly unequal to the compensation paid to such students;

The Commissioner shall promulgate regulations respecting the enforcement of the limitations in this subsection and the amount of stipends or wages paid to students and

hours of work permitted. Such regulations shall take into consideration minimum wage laws and the prevailing wages paid for similar types of work done.

"(c) Funds appropriated pursuant to section 102 may be used for residential vocational education schools only to the extent that the operation of such schools is consistent with general regulations concerning the operation of such schools, but in no case may juveniles be assigned to such schools as the result of their delinquent conduct; such facilities may not be used in such a manner as to result in racial segregation.

"DEFINITIONS"

"Sec. 109. For the purposes of this title—

"(1) The term 'vocational education' means vocational or technical training or retraining which is given in schools or classes (including field or laboratory work and remedial or related academic and technical instruction incident thereto) under public supervision and control or under contract with a State board or local educational agency and is conducted as part of a program designed to prepare individuals for gainful employment as semiskilled or skilled workers or technicians or subprofessionals in recognized occupations and in new and emerging occupations or to prepare individuals for enrollment in advanced technical education programs, but excluding any program to prepare individuals for employment in occupations which the Commissioner determines, and specifies by regulation, to be generally considered professional which requires a baccalaureate or higher degree; such term includes vocational guidance and counseling (individually or through group instruction) in connection with such training or for the purpose of facilitating occupational choices including vocational youth club activities; instruction related to the occupation or occupations for which the students are in training or instruction necessary for students to benefit from such training; the training of persons engaged as, or preparing to become teachers in a vocational education program or preparing such teachers to meet special education needs of handicapped students; teachers, supervisors, or directors of such teachers while in such a training program; travel of students and vocational education personnel while engaged in a training program; and the acquisition, maintenance, and repair of instructional supplies, teaching aids, and equipment, but such terms does not include the construction, acquisition, or initial equipment of buildings or the acquisition or rental of land.

"(2) The term 'area vocational education school' means—

"(A) a specialized high school used exclusively or principally for the provision of vocational education to persons who are available for study in preparation for entering the labor market, or

"(B) the department of a high school exclusively or principally used for providing vocational education in no less than five different occupational fields to persons who are available for study in preparation for entering the labor market, or

"(C) a technical or vocational school used exclusively or principally for the provision of vocational education to persons who have completed or left high school and who are available for study in preparation for entering the labor market, or

"(D) the department or division of a junior college or community college or university which provides vocational education in no less than five different occupational fields, under the supervision of the State Board, leading to immediate employment but not necessarily leading to a baccalaureate degree,

if it is available to all residents of the State or an area of the State designated and approved by the State Board, and if, in the

case of a school, department, or division described in (C) or (D), it admits as regular students both persons who have completed high school and persons who have left high school.

"(3) The term 'school facilities' means classrooms and related facilities (including initial equipment and interests in lands) on which such facilities are constructed. Such term shall not include any facility intended primarily for events for which admission is to be charged to the general public.

"(4) The term 'construction' includes construction of new buildings and acquisition, expansion, remodeling, and alteration of existing buildings, and includes site grading and improvement and architect fees.

"(5) The term 'Commissioner' means the Commissioner of Education.

"(6) The term 'handicapped', when applied to persons means persons who are mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled or other health impaired persons who by reason thereof require special education and related services.

"(7) The term 'State' includes, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

"(8) The term 'State board' means a State board designated or created by State law as the sole State agency responsible for the administration of vocational education, or for supervision of the administration thereof by local educational agencies; in the State.

"(9) The term 'local educational agency' means a board of education or other legally constituted local school authority having administrative control and direction of public elementary or secondary schools in a city, county, township, school district, or political subdivision in a State, or any other public educational institution or agency having administrative control and direction of a vocational education program.

"(10) The term 'high school' does not include any grade beyond grade 12.

"(1) The term 'private vocational training institution' means a business or trade school, or technical institution or other technical or vocational school, in any State, which (A) admits as regular students only persons who have completed or left elementary or secondary school and who have the ability to benefit from the training offered by such institution; (B) is legally authorized to provide, and provides within that State, a program of vocational or technical education designed to fit individuals for useful employment in recognized occupations; (C) has been in existence for two years or has been specially accredited by the Commissioner as an institution meeting the other requirements of this subsection; and (D) is accredited (i) by a nationally recognized accrediting agency or association listed by the Commissioner pursuant to this clause, (ii) if the Commissioner determines that there is no nationally recognized accrediting agency or association qualified to accredit schools of a particular category, by a State agency listed by the Commissioner pursuant to this clause, and (iii) if the Commissioner determines there is no nationally recognized or State agency or association qualified to accredit schools of a particular category, by an advisory committee appointed by him and composed of persons specially qualified to evaluate training provided by schools of that category, which committee shall prescribe the standards of content, scope, and quality which must be met by those schools and shall also determine whether particular schools meet those standards. For the purpose of this subsection, the Commissioner shall publish a list of nation-

ally recognized accrediting agencies or associations and State agencies which he determines to be reliable authority as to the quality of education or training afforded.

"PART B—STATE VOCATIONAL EDUCATION PROGRAMS

"AUTHORIZATION OF GRANTS

"SEC. 121. From the sums made available for grants under this part pursuant to sections 102 and 103, the Commissioner is authorized to make grants to States to assist them in conducting vocational education programs for persons of all ages in all communities of the States which are designed to insure that education and training programs for career vocations are available to all individuals who desire and need such education and training.

"USES OF FEDERAL FUNDS

"SEC. 122. (a) Grants to States under this part may be used, in accordance with State plans approved pursuant to section 123, for the following purposes:

"(1) exploratory occupational education programs, including counseling for students who have not selected and entered a training program for an occupation in order to provide them with information and experiences to assist them in making career decisions;

"(2) vocational education programs for high school students which is designed to prepare them for advanced or highly skilled postsecondary vocational and technical education;

"(3) vocational education for other students attending high school;

"(4) vocational education for persons who have already entered the labor market and who desire or need training or retraining to achieve stability, adjust to changing manpower needs, expand their range of skills, or advancement in employment; or to provide such persons with opportunities for continuing vocational education;

"(5) vocational education for persons who have completed or left high school and who are available for study in a program of postsecondary vocational or technical education;

"(6) special programs designed to meet the special vocational education needs for persons—

"(A) who have academic or socioeconomic disadvantages which hinder them in other vocational education programs which may be available, or

"(B) who are handicapped (as defined in section 109);

"(7) construction of area vocational education school facilities;

"(8) ancillary services and activities to assure quality in all vocational education programs, such as teacher training and supervision, guidance and counseling, program evaluation, special demonstration and experimental programs, development of instructional materials; and

"(9) programs to serve school dropouts.

"(b) In addition to the uses of funds specified in subsection (a), funds appropriated pursuant to the second sentence of section 102 may be used for—

"(1) State administration of the State plan, including obtaining information regarding current and projected manpower needs and job opportunities; and

"(2) the evaluations required under this part and the dissemination of the results thereof.

"(c) Funds available for grants under this part may be used to provide training through contractual arrangements with private vocational training institutions where such institutions can make a significant contribution to attaining the objectives of the State plan, and can provide substantially equivalent training at a lesser cost or can provide equipment or services not available in public institutions.

"STATE PLANS

"SEC. 123. (a) Any State desiring to receive the amount for which it is eligible for any fiscal year pursuant to this part shall submit a State plan at such time, in such detail, and containing such information as the Commissioner deems necessary, which meets the requirements set forth in this part. The Commissioner shall approve a plan submitted by a State if he determines that the plan submitted for that year—

"(1) has been prepared in consultation with the State Advisory Council for that State approved pursuant to section 104;

"(2) designates the State board as the sole agency for administration of the State plan, or for supervision of the administration thereof by local educational agencies;

"(3) provides that the State board shall consult with the State advisory council on the administration of the State plan, including the policy matters arising concerning the approval of applications for, and the distribution of, Federal funds granted pursuant to this part;

"(4) has been submitted only after the State board (A) has given reasonable notice, and afforded a reasonable opportunity for a public hearing, and (B) has implemented policies and procedures to insure that copies of the State plan and all statements of general policies, rules, regulations and procedures issued by the State board concerning the administration of such plan will be made reasonably available to the public;

"(5) sets forth a long-range program plan (or, as is appropriate, a supplement to, or revision of, a previously submitted long-range plan) for vocational education in the State, which program plan (A) has been prepared in consultation with the State Advisory Council, (B) extends over such period of time (but not more than five years nor less than three years), beginning with the fiscal year for which the State plan is submitted, as the Commissioner deems necessary and appropriate for the purposes of this part, (C) describes the present and projected vocational education needs of the State in terms of the purposes of this part set forth in section 121, and (D) sets forth a program of vocational education objectives which holds promise of making substantial progress toward meeting the vocational education needs of all individuals in the State;

"(6) sets forth an annual program plan, which (A) has been prepared in consultation with the State Advisory Council, (B) describes the content of, and allocation of Federal and State vocational education funds to programs, services, and activities to be carried out under the State plan during the year from which Federal funds are sought, (C) indicates how and to what extent, such programs, services, and activities will carry out the program objectives set forth in the long-range program plan provided for in paragraph (5), and (D) indicates how, and to what extent allocations of Federal funds allotted to the State will take into consideration the criteria set forth in the State plan pursuant to paragraph (7), and (E) indicates the extent to which consideration was given to the findings and recommendations of the State advisory council in its most recent evaluation report submitted pursuant to section 104;

"(7) sets forth in detail the policies and procedures to be followed by the State in the distribution of funds to local educational agencies in the State and for the use of such funds for the programs, services, and activities set forth in program plan pursuant to paragraphs (5) and (6), which policies and procedures insure that—

"(A) due consideration will be given to the results of periodic evaluations of State and local vocational education programs, services, and activities in the light of information regarding current and projected man-

power needs and job opportunities, particularly new and emerging needs and opportunities on the local, State, and national levels.

"(B) due consideration will be given to the relative vocational education needs of all population groups in all geographic areas and communities in the State, particularly persons with academic, socio-economic, mental, and physical handicaps that prevent them from succeeding in regular vocational education programs.

"(C) due consideration will be given to the relative ability of particular local educational agencies within the State, particularly those in economically depressed areas and those with high rates of unemployment, to provide the resources necessary to meet the vocational education needs in the areas or communities served by such agencies.

"(D) due consideration will be given to the cost of the programs, services, and activities provided by local educational agencies which is in excess of the cost which may be normally attributed to the cost of education in such local educational agencies.

"(E) funds will not be allocated to local educational agencies at a uniform ratio throughout the State except to the extent that the criteria set forth pursuant to paragraphs (A), (B), (C), and (D) indicate that the considerations specified in such paragraphs are uniform throughout the State.

"(F) applications from local educational agencies for funds—

"(i) have been developed in consultation with persons representative of the educational and training resources available to the area to be served by the applicant,

"(ii) show promise of providing the persons to be served with education programs designed to make substantial progress toward preparing such persons for a career,

"(iii) include a comprehensive plan for meeting the vocational education needs in the area or community served by such agency, and

"(iv) indicate how, and to what extent the vocational education programs, services, and activities proposed in the application will meet the needs set forth in the comprehensive plan included pursuant to clause (iii); and

"(G) no local educational agency which is making a reasonable tax effort, as defined by regulations, will be denied funds for the establishment of new vocational education programs solely because the local educational agency is unable to pay the non-Federal share of the cost of such new programs.

"(8) provides minimum qualifications for teachers, teacher-trainees, supervisors, directors, and other personnel having responsibilities for vocational education in the State and the policies and procedures developed to improve the qualifications of such personnel and to insure that such qualifications continue to reflect a direct relationship with the need for personnel in vocational education programs carried out under the State plan.

"(9) provides for entering into cooperative arrangements with the system of public employment offices in the State approved by the State board and by the State head of such system, looking toward such offices making available to the State board and local educational agencies occupational information regarding reasonable prospects of employment in the community and elsewhere, and toward consideration of such information by such board and agencies in providing vocational guidance and counseling to students and prospective students and in determining the occupations for which persons are to be trained; and looking toward guidance and counseling personnel of the State board and local educational agencies making available to public employment offices information re-

garding the occupational qualifications of persons leaving or completing vocational education courses or schools, and toward consideration of such information by such offices in the occupational guidance and placement of such persons;

"(10) provides that, in the development and conduct of vocational education programs, services, and activities under this part, there will be, in addition to the cooperative arrangements provided for in paragraph (9), appropriate and effective cooperative arrangements with other agencies, organizations, and institutions concerned with manpower needs and job opportunities, such as business and labor organizations, institutions of higher education, and community action organizations;

"(11) provides that effective use will be made of the results and experience of programs and projects assisted under parts C, D, and E;

"(12) provides assurance that Federal funds available under this part will be so used as to supplement and, to the extent practical, increase the amount of State and local funds that would in the absence of such Federal funds be made available for the uses set forth in section 122(a), and in no case supplant such State and local funds;

"(13) sets forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including such funds paid by the State to local educational agencies) under this part;

"(14) provides that final action with respect to any application for funds under this part shall not be taken without first affording the local educational agency reasonable notice and opportunity for a hearing;

"(15) provides that not less than 15 per centum of the sums available to the State under this part shall be used for the purpose set forth in section 122(a) (5);

"(16) provides that not less than 15 per centum of sums available to the State under this part shall be used for the purpose set forth in section 122(a) (6) (A);

"(17) provides that not less than 10 per centum of the sums available to the State under this part shall be used for the purpose set forth in section 122(a) (6) (B); and

"(18) provides for submitting to the Commissioner an annual evaluation report which meets the requirements of paragraph (4) (D) of subsection (a), and such other reports in such form and containing such information as the Commissioner may reasonably require to carry out his functions under this part, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"(b) The Commissioner shall not approve a State plan under this section until he has made specific findings as to the compliance of such plan with the requirements of this part and he is satisfied that adequate procedures are set forth to insure that the assurances and provisions of such plan will be carried out. Such findings shall be submitted to the Senate Committee on Labor and Public Welfare and the House Committee on Education and Labor at least annually. If the Commissioner finds that the requirement set forth in section 123(a) (15) will result in a State's inability to use the 15 per centum reservation set forth therein in any fiscal year, he may waive such requirement, upon application by that State. Supporting evidence respecting the justification of such waiver shall be included in the findings submitted pursuant to this subsection.

"(c) (1) The Commissioner shall not finally disapprove any plan submitted under subsection (a), or any modification thereof,

without first affording the State board submitting the plan reasonable notice and opportunity for a hearing.

"(2) Whenever the Commissioner, after reasonable notice and opportunity for hearings to any State board, finds that there has been a failure to comply substantially with any requirement set forth in the plan of that State approved under this section, the Commissioner shall notify the agency that further payments will not be made to the State under this title (or, in his discretion, that the State board shall not make further payments under this title to specified local educational agencies affected by the failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, no further payments shall be made to the State under this title, or payments by the State board under this title shall be limited to local educational agencies not affected by the failure, as the case may be.

"(3) (A) If any State is dissatisfied with the Commissioner's final action with respect to the approval of a plan submitted under subsection (a) or with his final action under paragraph (2), such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action as provided in section 2112 of title 28, United States Code.

"(B) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings.

"(C) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

"(d) (1) If any local educational agency is dissatisfied with the final action of the State board with respect to approval of an application by such local agency for a grant pursuant to this title, such local agency may, within sixty days after such final action or notice thereof, whichever is later, file with the United States court of appeals for the circuit in which the State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the State board. The State board thereupon shall file in the court the record of the proceedings on which the State board based its action as provided in section 2112 of title 28, United States Code.

"(2) The findings of fact by the State board, if supported by substantial evidence shall be conclusive; but the court, for good cause shown, may remand the case to the State board to take further evidence, and the State board may thereupon make new or modified findings of fact and may modify its previous action, and shall certify to the court the record of the further proceedings.

"(3) The court shall have jurisdiction to affirm the action of the State board or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

"PAYMENTS TO STATES

"SEC. 124. (a) The Commissioner shall pay from the amount available to the State for grants under this part, to each State an amount equal to 50 per centum of the State

and local expenditures in carrying out its State plan as approved pursuant to section 123, except that—

"(1) with respect to the amount available to any State under this part for any fiscal year which is in excess of the amount paid to the State during the preceding fiscal year, if the Commissioner finds that—

"(A) such amount is more than 110 per centum of the amount paid to the State during the preceding fiscal year, and

"(B) the State expenditures for carrying out the State plan for that fiscal year are more than 110 per centum of such expenditures for the preceding fiscal year, and

"(C) the State is making a reasonable effort to increase such expenditures, and

"(D) the programs to be carried out under the State plan, which would not be carried out because of the lack of State and local matching funds, are such that urgent vocational education needs would be met,

he may waive the 50 per centum limitation with respect to that part of such amount which exceeds 110 per centum of the amount paid to the State during the preceding fiscal year and which will be used for new or expanded programs and projects, and

"(2) with respect to the amount available to any State under this part for the fiscal years ending prior to July 1, 1972, which is in excess of the amount paid to the State during the fiscal year ending June 30, 1969, if the Commissioner finds that—

"(A) one or more local educational agencies within that State have an urgent need for establishing new vocational education programs, and

"(B) such local educational agency or agencies are making a reasonable tax effort, and

"(C) such local educational agency or agencies cannot establish such new vocational education programs because they cannot match the Federal funds,

he may waive the matching requirement with respect to such new vocational education programs.

In computing State and local expenditures for any fiscal year, that part of such expenditures which is equal to State and local expenditures for vocational education for the fiscal year ending June 30, 1969, shall be deemed to be equal to the amount allotted to the State in the fiscal year ending June 30, 1969, under this Act plus the amount allotted to the State under the Act of June 8, 1936 (known as the George-Barden Act), in such fiscal year.

"(b) Payments under this section may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"(c) The Commissioner is authorized to pay to each State the amounts necessary for the activities authorized in section 122(b), during any fiscal year, except that the total of such payments shall not be in excess of an amount equal to 5 per centum of its allotment pursuant to section 103 for that fiscal year.

"(d) No payments shall be made in any fiscal year under this title to any local educational agency or to any State unless the Commissioner finds, in the case of a local educational agency, that the combined fiscal effort of that agency and the State with respect to the provision of vocational education by that agency for the preceding fiscal year was not less than such combined fiscal effort for that purpose for the second preceding fiscal year or, in the case of a State, that the fiscal effort of that State for vocational education in that State for the preceding fiscal year was not less than such fiscal effort for vocational education for the second preceding fiscal year.

"PART C—RESEARCH AND TRAINING IN VOCATIONAL EDUCATION

"AUTHORIZATION OF GRANTS AND CONTRACTS

"SEC. 131. From the sums available to each State for grants pursuant to this part, the Commissioner is authorized to make grants to and contracts with institutions of higher education, public and private agencies and institutions, State boards, and, with the approval of the appropriate State board, to local educational agencies in that State to encourage research and training in vocational education and the development of vocational education programs designed to meet special vocational education needs of youths and to provide education for new and emerging careers and occupations, except that no grant may be made other than to a nonprofit agency or institution. The Commissioner may for any fiscal year reserve from the allocations an amount not in excess of 50 per centum of the funds available for grants and contracts under this part for projects which are of national or regional importance or interstate projects, and if such reservation is made for any fiscal year, applications from State boards, and from institutions of higher education to support research coordinating units and projects approved by research coordinating units, shall receive special consideration in approving applications for the remainder of the funds available under this part.

"USES OF FEDERAL FUNDS

"SEC. 132. The funds available for grants and contracts under this part may be used for—

"(1) research in vocational education;

"(2) training programs designed to familiarize persons involved in vocational education with research finding and successful pilot and demonstration projects in vocational education;

"(3) experimental, developmental, and pilot programs and projects designed to test the effectiveness of research findings;

"(4) demonstration and dissemination projects;

"(5) the development of new vocational education curricula; and

"(6) projects in the development of new careers and occupations, such as—

"(A) research and experimental projects designed to identify new careers in such fields as mental and physical health, crime prevention and corrections, welfare, education, municipal services, child care, and recreation requiring less training than professional positions and to delineate within such careers roles with the potential for advancement from one level to another.

"(B) training and development projects designed to demonstrate improved methods of securing the involvement, cooperation, and commitment of both the public and private sectors toward the end of achieving greater coordination and more effective implementation of programs for the employment of persons in the fields described in subparagraph (A), including programs to prepare professionals (including administrators) to work effectively with aides, and

"(C) projects to evaluate the operation of programs for the training, development, and utilization of public service aides, particularly their effectiveness in providing satisfactory work experiences and in meeting public needs.

"APPLICATIONS

"SEC. 133. (a) A grant under this part may be made to an institution of higher education, a public or nonprofit private agency or institution, a State board, or a local educational agency, or a contract may be made with a private agency, organization or institution upon application to the Commissioner at such time or times, in such manner, and

containing, or accompanied by, such information as the Commissioner deems necessary. Such application shall contain—

"(1) a description of the nature, duration, purpose, and plan of the project;

"(2) the qualifications of the principal staff who will be responsible for the project;

"(3) a justification of the amount of grant funds requested;

"(4) the portion of the cost to be borne by the applicant; and

"(5) such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this part.

"(b) The Commissioner may not approve an application until such application has been reviewed by a panel of experts who are not employees of the Federal Government.

"PAYMENTS

"SEC. 134. From the amount available for grants, under this part pursuant to sections 102 and 103, the agencies and institutions within the appropriate State, the Commissioner shall pay to each applicant an amount equal to not more than 90 per centum of the amount expended by such applicant in accordance with the application approved pursuant to section 133, except that any part of the funds available under this part which are reserved for national or regional research projects shall be paid in accordance with regulations. Such payment may be made on such terms as are approved in such application.

"PART D—EXEMPLARY PROGRAMS AND PROJECTS

"FINDINGS AND PURPOSES

"SEC. 141. The Congress finds that it is necessary to reduce the continuing seriously high level of youth unemployment by developing means for giving the same kind of attention as is now given to the college preparation needs of those young persons who go on to college, to the job preparation needs of the two out of three young persons who end their education at or before completion of the secondary level, too many of whom face long and bitter months of job hunting or marginal work after leaving school. The purposes of this part, therefore, are to stimulate, through Federal financial support, new ways to create a bridge between school and earning a living for young people, who are still in school, who have left school either by graduation or by dropping out, or who are in postsecondary programs of vocational preparation, and to promote cooperation between public education and manpower agencies.

"AUTHORIZATION OF GRANTS AND CONTRACTS

"SEC. 142. The Commissioner is authorized to make grants to or contracts with State boards or local educational agencies for the purpose of stimulating and assisting, the development, establishing, and operation of programs or projects designed to carry out the purposes of this part. The Commissioner also may make grants to other public or nonprofit private agencies, organizations, or institutions, or contracts with public or private agencies, organizations, or institutions, when such grants or contracts will make an especially significant contribution to attaining the objectives of this part.

"USES OF FUNDS

"SEC. 143. (a) Grants or contracts pursuant to this part may be made by the Commissioner, upon terms and conditions consistent with the provisions of this part, to pay all or part of the cost of—

"(1) planning and developing exemplary programs or projects such as those described in paragraph (2), or

"(2) establishing, operating, or evaluating exemplary programs or projects designed to carry out the purposes set forth in section

141, and to broaden occupational aspirations and opportunities for youths, with special emphasis given to youths who have academic, socioeconomic, or other handicaps, which programs or projects may, among others, include—

"(A) those designed to familiarize post-elementary school students with the broad range of occupations for which special skills are required and the requisites for careers in such occupations;

"(B) programs or projects for students providing educational experiences through work during the school year or in the summer;

"(C) programs or projects for intensive occupational guidance and counseling during the last years of school and for initial job placement;

"(D) programs or projects designed to broaden or improve vocational education curriculums;

"(E) exchanges of personnel between schools and other agencies, institutions, or organizations participating in activities to achieve the purposes of this part, including manpower agencies and industry; and

"(F) programs or projects for young workers released from their jobs on a part-time basis for the purpose of increasing their educational attainment.

"(b) (1) A grant under this title to a State board or local educational agency may be made only if the Commissioner determines—

"(A) that there is satisfactory assurance that in the planning of that program there has been, and in the establishing and carrying out of that program there will be, participation of agencies which are responsible for manpower planning, training, employment, and related activities such as the Co-operative Area Manpower Planning System, and, as appropriate, persons broadly representative of employers, labor organizations, community action agencies, and other community institutions; and

"(B) that to the extent consistent with the number of students enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which the program or project involved is to meet, provision has been made for the participation of such students.

"(2) No grant or contract (other than a grant or contract with a State board) shall be made by the Commissioner under this part with respect to any program or project unless such program or project has been submitted to the State board in the State in which it is to be conducted and has not been disapproved by the State board within sixty days of such submission or within such longer period of time as the Commissioner may determine pursuant to regulations.

"PAYMENTS

"SEC. 144. From the amount available for grants, under this part pursuant to sections 102 and 103, in the appropriate State, the Commissioner shall pay to each applicant an amount equal to 90 per centum of the amount expended by such applicant in accordance with the application approved pursuant to section 143(b). Such payment may be made on such terms as are approved in such application. In determining the expenditures of an applicant under this part, the Commissioner may include the reasonable value (as determined by him) of any goods or services provided from non-Federal sources.

"LIMITATION ON DURATION OF ASSISTANCE

"SEC. 145. Financial assistance may not be given under this part to any program or project for a period exceeding three years.

"PART E—STATE SPECIAL EMPHASIS PROGRAMS

"AUTHORIZATION OF ACTIVITIES

"SEC. 151. From the sum available for grants under this part, pursuant to sections 102 and 103 of this Act, the Commissioner

shall carry out a program of making grants to assist States in the establishment of special emphasis programs to meet special vocational education needs in the States.

"USES OF FEDERAL FUNDS

"SEC. 152. Grants under this part may be used, in accordance with applications approved under section 153, for—

"(a) planning and developing of programs designed to provide special vocational education activities described in clause (b),

"(b) the establishment, maintenance, and operation of new vocational educational programs, including the lease or construction of necessary facilities and the acquisition of necessary equipment, designed to meet the needs of individuals in the State and to offer a diverse range of educational experience to persons of varying talents and needs by providing, especially through new and improved approaches, special vocational education programs, such as—

"(1) new and expanded vocational education programs and services specifically designed for persons and students (including adults and other postsecondary school students) who have academic, social, economic, cultural, or other handicaps, and who reside in areas with concentrations of persons so disadvantaged;

"(2) cooperative work-study programs, designed to combine a meaningful work experience with formal education, enabling students to acquire knowledge, skills, and attitudes appropriate to the work situation;

"(3) residential vocational education schools;

"(4) development of curriculum materials, consisting of a series of courses to cover instruction in any occupational field in vocational education and designed to prepare persons for employment at the entry level or to upgrade occupational competencies of those previously or presently employed in any occupational field;

"(5) acquisition of vocational library resources, instructional material and equipment, and services, including books; periodicals; guidance, counseling, and audio-visual materials; projectors, recorders, screens; audio-visual equipment; closed-circuit television equipment; and similar items and necessary accessories suitable for use in programs of vocational education;

"(6) strengthening vocational and technical education at the postsecondary level in junior and community colleges;

"(7) comprehensive guidance and counseling remedial instruction, and school health, physical education, recreation, psychological, social work, and other services designed to enable and encourage persons to enter, remain in, or reenter vocational education programs, including the provision of special vocational education activities during periods when schools are not regularly in session;

"(8) comprehensive vocational guidance and counseling for adults;

"(9) specialized instruction and equipment for students interested in studying vocational education subjects which are not taught in the local schools or which can be provided more effectively on a centralized basis, or for persons who are handicapped;

"(10) making available modern vocational education equipment and specially qualified personnel;

"(11) developing, producing, and transmitting radio and television programs for classroom and other vocational education use;

"(12) providing special educational and related services for persons who are in or from rural areas or who are or have been otherwise isolated from normal vocational education opportunities, including, where appropriate, the provision of mobile educational services and equipment, special home study courses, radio, television, and related forms of instruction, bilingual education methods, and visiting teachers' programs;

"(13) providing support or services for the comprehensive and compatible recording, collecting, processing, analyzing, interpreting, storing, retrieving, and reporting of State and local vocational education data, including the use of automated data systems;

"(14) research and training programs and experimental, developmental, or pilot programs designed to meet the special vocational education needs of youth;

"(15) cooperative arrangements for the training or retraining of experienced vocational education personnel such as teachers, teacher educators, administrators, supervisors, and coordinators, and other personnel, in order to strengthen education programs supported by this title and the administration of schools offering vocational education;

"(16) encouraging community involvement in vocational education programs; and

"(17) programs designed to prevent school dropouts and assist all students in bridging the gap between school and the world of work."

"APPROVAL OF APPLICATIONS FOR GRANTS

"SEC. 153. An application for a grant under this part may be approved by the Commissioner only upon his determination that—

"(a) each of the proposed projects, programs, and activities for which it is approved will make a significant contribution to strengthening the ability of the State and local educational agencies in that State to participate effectively in meeting the vocational education needs of the State;

"(b) the activities proposed in the application are designed to meet a special need for vocational education set forth in the long-range program plan submitted under part B;

"(c) the application has been developed in consultation with the State advisory council and sets forth the procedures by which the activities to be carried out thereunder will be evaluated by such advisory council;

"(d) the application contains or is supported by adequate assurance that Federal funds made available under the approved application, will be so used as to supplement, and to the extent practical, increase the amounts of State funds that would in the absence of such Federal funds be made available for projects and activities;

"(e) the application sets forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including any such funds paid by the State to agencies, institutions, or organizations) under this title; and

"(f) the application provides for making such reports, in such form and containing such information, as the Commissioner may require to carry out his functions under this part, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"SEC. 154. From the amount available to each State for grants under this part, the Commissioner shall pay to each State which has had an application approved under section 153 an amount equal to 90 per centum of the amount expended by that State in accordance with the application. Payments pursuant to grants under this part may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments, as the Commissioner may determine.

"PART F—HOMEMAKING EDUCATION

"HOMEMAKING EDUCATION

"SEC. 161. (a) (1) There are hereby authorized to be appropriated \$25,000,000 for the fiscal year ending June 30, 1970, \$35,000,000 for the fiscal year ending June 30, 1971, and \$50,000,000 for the fiscal year ending June

30, 1972, for the purpose of this section. From the sums appropriated pursuant to this paragraph for each fiscal year, the Commissioner shall allot to each State an amount which shall be computed in the same manner as allotments to States under section 102 of this title.

"(2) The amount of any State's allotment under paragraph (1) for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the State's plan approved under subsection (b) shall be available for reallocation from time to time, on such dates during such year as the Commissioner may fix, and on the basis of such factors as he determines to be equitable and reasonable, to other States which, as determined by the Commissioner, are able to use without delay any amounts so reallocated for the purposes set forth in paragraph (2) of subsection (b). Any amount reallocated to a State under this paragraph during such year shall be deemed part of its allotment for such year.

"(b) To be eligible to participate in this section, a State must have in effect a plan approved under section 123 and must submit through its State board to the Commissioner a supplement to such plan (hereinafter referred to as a 'supplementary plan'), in such detail as the Commissioner determines necessary, which—

"(1) designates the State board as the sole agency for administration of the supplementary plan, or for supervision of the administration thereof by local educational agencies;

"(2) sets forth a program under which Federal funds paid to a State from its allotment under subsection (a) will be expended solely for (A) educational programs designed to fit for homemaking, persons who have entered, or are preparing to enter, the work of the home, including consumer education programs, with special emphasis on programs for persons who are economically or socially deprived, and (B) ancillary services and activities to assure quality in all homemaking education programs, such as teacher training and supervision, program evaluation, special demonstration and experimental programs, development of instructional programs and State administration and leadership;

"(3) sets forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including such funds paid by the State to local educational agencies) under this section; and

"(4) provides for making such reports in such form and containing such information as the Commissioner may reasonably require to carry out his functions under this section, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"(c) Subsections (b), (c), and (d) of section 123 (pertaining to the approval of State plans, the withholding of Federal payments in case of nonconformity after approval, and judicial review of the Commissioner's final actions in disapproving a State plan or withholding payments) shall be applicable to the Commissioner's actions with respect to supplementary plans under this section.

"(d) From a State's allotment under this section for the fiscal year ending June 30, 1970, and for each fiscal year thereafter, the Commissioner shall pay to such State an amount equal to 50 per centum of the amount expended for the purposes set forth in paragraph (2) of subsection (b). No State shall receive payments under this section for any fiscal year in excess of its allotment under subsection (a) for such fiscal year.

"(e) Such payments (adjusted on account of overpayments or underpayments previ-

ously made) shall be made by the Commissioner in advance on the basis of such estimates, in such installments, and at such times, as may be reasonably required for expenditures by the States of the funds allotted under subsection (a).

"PART G—COOPERATIVE VOCATIONAL EDUCATION PROGRAMS

"Sec. 171. (a) The Congress finds that cooperative work-study programs offer many advantages in preparing young people for employment. Through such programs, a meaningful work experience is combined with formal education enabling students to acquire knowledge, skills, and appropriate attitudes. Such programs remove the artificial barriers which separate work and education and, by involving educators with employers, create interaction whereby the needs and problems of both are made known. Such interaction makes it possible for occupational curricula to be revised to reflect current needs in various occupations. It is the purpose of this section to assist the States to expand cooperative work-study programs by providing financial assistance for personnel to coordinate such programs, and to provide instruction related to the work experience; to reimburse employers when necessary for certain added costs incurred in providing on-the-job training through work experience; to pay costs for certain services, such as transportation of students or other unusual costs that the individual students may not reasonably be expected to assume while pursuing a cooperative work-study program.

"(b) There are authorized to be appropriated \$25,000,000 for the fiscal year ending June 30, 1970, \$50,000,000 for the fiscal year ending June 30, 1971, and \$75,000,000 for the fiscal year ending June 30, 1972, for making grants to the States for programs of vocational education designed to prepare students for employment through cooperative work-study arrangements pursuant to this part.

"(c) (1) From the sums appropriated pursuant to this section for each fiscal year, the Commissioner shall reserve such amount, but not in excess of 2 per centum thereof, as he may determine and shall apportion such amount among Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands, according to their respective needs for assistance under this section. From the remainder of such sums the Commissioner shall allocate to each State an amount which bears the same ratio to any residue of such remainder as the population aged fifteen to nineteen, both inclusive, in the State bears to the population of such ages in all the States.

"(2) The amount of any State's allotment under this section for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the State's plan approved under subsection (d) shall be available for reallocation from time to time, on such dates during such years as the Commissioner may fix, and on the basis of such factors as he determines to be equitable and reasonable, to other States which as determined by the Commissioner are able to use without delay any amounts so reallocated for the purposes set forth in subsection (d). Any amount reallocated to a State under this paragraph during such year shall be deemed part of its allotment for such year.

"(3) The population of particular age groups of a State or of all the States shall be determined by the Commissioner on the basis of the latest available estimates furnished by the Department of Commerce.

"(d) (1) A State, in order to participate in the program authorized by this part, shall submit to the Commissioner, through its State board, a State plan which shall set forth policies and procedures to be used by

the State board in establishing through local educational agencies and public and private employers cooperative work-study programs. Such policies and procedures must give assurance that—

"(A) funds will be used only for developing and operating cooperative work-study programs, as defined in subsection (f), which provide training opportunities that may not otherwise be available and which are designed to serve persons who can benefit from such programs;

"(B) necessary procedures are established for cooperating with employment agencies, labor groups, employers, and other community agencies in identifying suitable jobs for persons who enroll in cooperative work-study programs;

"(C) provision is made for reimbursement of added costs to employers for on-the-job training of students enrolled in cooperative programs, provided such on-the-job training is related to existing career opportunities susceptible of promotion and advancement and does not displace other workers who might ordinarily be hired to perform such work;

"(D) ancillary services and activities to assure quality in cooperative work-study programs are provided for, such as preservice and in-service training for teacher coordinators, supervision, curriculum materials, and evaluation;

"(E) priority for funding cooperative work-study programs through local educational agencies, be given to areas that have high rates of school dropouts and youth unemployment; and

"(F) such accounting, evaluation, and follow-up procedures as the Commissioner deems necessary will be provided.

"(2) The Commissioner shall approve a State plan which fulfills the conditions specified above, and the provisions of subsections (b), (c), and (d) of section 123 (relating to the approval of State plans) shall apply to this section.

"(e) Funds allocated under this section for cooperative work-study programs shall be available for paying not more than 90 per centum of the State's expenditures under its State plan for any fiscal year.

"(f) For the purposes of this section, the term 'cooperative work-study program' means a program of vocational education for persons who, through a cooperative arrangement between the school and employers, receive part-time instruction, including required academic courses and related vocational instruction, in the school and on-the-job training through part-time employment. Such programs should provide for alternation of study in school with a job in any occupational field, but these two experiences must be planned and supervised by school and employer so that each contributes to the student's education and to his employability. Work periods and school attendance may be on alternate half-days, days, weeks, or other periods of time."

EFFECTIVE DATE

SEC. 102. (a) Except as provided in subsection (b), the amendments made by section 101, shall become effective July 1, 1969.

(b) (1) The Commissioner of Education and the States are authorized to take such action as they deem necessary to prepare to implement the amendments made by section 101.

(2) Those provisions of the Vocational Education Act of 1963 as amended by section 101, concerning National and State advisory councils are effective upon enactment of this Act.

(3) During the fiscal year ending June 30, 1969, the Commissioner of Education is authorized to expend such sums as may be necessary to prepare to implement the amendments made by section 101.

REPEAL OF EARLIER VOCATIONAL EDUCATION ACTS AND TECHNICAL AMENDMENTS RELATED THERETO

SEC. 103. Effective July 1, 1969, the Vocational Education Act of 1946 (the Act of June 8, 1936, as amended, 20 U.S.C. 151-15m, 15o-15q, 15aa-15jj, 15aaa-15ggg), section 1 of the Act of March 3, 1931, relating to vocational education in Puerto Rico (20 U.S.C. 30), the Act of March 18, 1950, relating to vocational education in the Virgin Islands (20 U.S.C. 31-33), section 9 of the Act of August 1, 1956, relating to vocational education in Guam (20 U.S.C. 34), and section 2 of the Act of September 25, 1962, relating to vocational education in American Samoa (48 U.S.C. 1667) are repealed.

USE OF FUNDS AVAILABLE UNDER THE SMITH-HUGHES ACT

SEC. 104. All appropriations pursuant to the Smith-Hughes Act, as amended (20 U.S.C. 11-15, 16-28), for any fiscal year ending after June 30, 1969, shall be deemed to have been appropriated pursuant to section 102 of the Vocational Education Act of 1963.

TITLE II—MISCELLANEOUS PROVISIONS

ADEQUATE LEADTIME, PLANNING, AND EVALUATION

SEC. 201 (a) Section 401 of the Elementary and Secondary Education Amendments of 1967 (Public Law 90-247) is amended to read as follows:

"PROGRAMS SUBJECT TO THIS TITLE

"SEC. 401. The provisions of this title shall apply to any program for which the Commissioner of Education has responsibility for administration, either as provided by statute or by delegation pursuant to statute. Amendments to acts authorizing such programs shall not affect the applicability of this title unless so specified by such amendments.

(b) Title IV of such Act is amended by inserting after section 405 the following new sections:

"CONTINGENT EXTENSION OF EXPIRING APPROPRIATION AUTHORITY

"SEC. 406. Unless the Congress, in the regular session in which a comprehensive evaluation report required by section 404(b) is submitted to Congress, has passed or formally rejected legislation extending the authorization for appropriations then specified for any title, part, or section of law to which such evaluation relates, such authorization is hereby automatically extended for one fiscal year beyond, and at the level specified for, the terminal year of such authorization.

"AVAILABILITY OF APPROPRIATIONS

"SEC. 407. Notwithstanding any other provision of law, unless expressly in limitation of the provision of this title, funds appropriated in any fiscal year to carry out any of the programs to which this title is applicable shall remain available for obligation until the end of such fiscal year."

REDUCING AGE LIMIT IN ADULT EDUCATION PROGRAM

SEC. 202. Effective with respect to appropriations for fiscal years beginning after June 30, 1969, section 303(a) of the Adult Education Act of 1966 (title III of Public Law 89-750, 80 Stat. 1216) is amended by striking out "eighteen" and inserting in lieu thereof "sixteen".

EXTENSION OF EXPIRING PROVISIONS OF TITLE III OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

SEC. 203. (a) Section 305(c) of the Elementary and Secondary Education Act of 1965 (Public Law 89-10), as amended, is amended by inserting after "June 30, 1969," the following: "or the fiscal year ending June 30, 1970."

(b) Section 306(c) of such Act is amended—

(1) by striking out "fiscal year ending June 30, 1969", each time it appears, and

inserting in lieu thereof "fiscal years ending prior to June 30, 1970", in each instance; and

(2) by striking out "fiscal year ending June 30, 1970" and inserting in lieu thereof "subsequent fiscal years".

EARLY EDUCATION OF HANDICAPPED CHILDREN

SEC. 204. Title VI of the Elementary and Secondary Education Act of 1950 (Public Law 89-10), as amended, is further amended—

(1) by redesignating part E thereof as part F and redesignating sections 611 through 615, and all references thereto, as sections 612 through 616, respectively; and

(2) by inserting immediately after part D thereof a new part as follows:

"PART E—EARLY EDUCATION OF HANDICAPPED CHILDREN

"PROGRAM AUTHORIZED

"SEC. 611. (a) (1) The Commissioner is authorized to arrange by contract or grant with appropriate public agencies and private non-profit organizations, for the development and carrying out by such agencies and organizations of experimental preschool and early education programs for handicapped children which the Commissioner determines show promise of promoting a comprehensive and strengthened approach to the special problems of such children. Such programs shall be distributed to the greatest extent possible throughout the Nation, and shall be carried out both in urban and in rural areas. Such programs shall include activities and services designed to (A) facilitate the intellectual, emotional, physical, mental, social, and language development of such children in the development and operation of any such program; (B) encourage the participation of the parents of such children in the development and operation of any such program; and (C) acquaint the community to be served by any such program with the problems and potentialities of such children.

"(2) Each arrangement for developing or carrying out a program authorized by this section shall provide for the effective coordination of each such program with the State agency and appropriate local educational agencies.

"(3) No arrangement pursuant to this part shall provide for the payment of more than 90 per centum of the cost of developing, carrying out, or evaluating such a program. Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment, and services.

"(b) The Commissioner shall conduct either directly or by contract with independent organizations a thorough and continuing evaluation of the effectiveness of each program assisted under this part.

"(c) There is authorized to be appropriated for the purpose of this part \$5,000,000 for the fiscal year ending June 30, 1969, and \$10,000,000 for the fiscal year ending June 30, 1970, and such sums as may be authorized for the fiscal year ending June 30, 1971."

COLLECTION AND DISSEMINATION OF INFORMATION

SEC. 205. (a) For the purpose of carrying out more effectively the provisions of the programs administered by him (including those administered by him by delegation), the Commissioner of Education—

(1) shall prepare and disseminate to all appropriate State and local agencies and institutions and others concerned with education, complete information on programs of Federal assistance;

(2) shall inform the public on federally supported programs for education by providing information to communications media; such dissemination activity shall include the development and issuance of materials which inform teachers, students, the disadvantaged, and dropouts of new and expanding opportunities for education, together

with materials specifically directed to institutions or individuals vested with responsibility for one or more programs administered by the Commissioner;

(3) shall develop, on both formal and informal bases, a close liaison for interchange of ideas and information with representatives of American business and with service, labor, or other organizations, both public and private, to advance American education;

(4) shall collect data and information on programs qualifying for assistance under programs administered by him for the purpose of obtaining objective measurements of the effectiveness achieved in carrying out the purposes of such programs;

(5) may upon request provide advice, counsel, technical assistance, and demonstrations to State educational agencies, local educational agencies, or institutions of higher education undertaking to initiate or expand programs under this title in order to increase the quality of depth or broaden the scope of such programs, and shall inform such agencies and institutions of the availability of assistance pursuant to this clause;

(6) shall prepare and disseminate to State educational agencies, local educational agencies, and other appropriate agencies and institutions an annual report setting forth developments in the utilization and adaptation of programs carried out pursuant to this title; and

(7) may enter into contracts with public or private agencies, organizations, groups, or individuals to carry out the provisions of this section.

(b) (1) For such purpose and also for the purpose of carrying out more effectively other provisions of Federal law, the Commissioner, upon request from a State educational agency, shall provide counseling and technical assistance to elementary and secondary schools in rural areas, as defined by the Commissioner, of such State (1) in determining benefits available to such agencies and schools under Federal laws, and (2) in preparing applications and meeting other requirements for such benefits. Assistance pursuant to this subsection may, in accordance with such request, be provided by personnel from the Office of Education or be provided in the form of grants in such amounts as may be necessary for such State educational agency to employ such personnel as may be necessary to provide such assistance.

(2) The Commissioner is further authorized to provide the types of assistance available to elementary and secondary schools under paragraph (1) to institutions of higher education.

(c) The Commissioner shall prepare and make available in such form as he deems appropriate a catalog of all Federal education assistance programs whether or not such programs are administered by him. The catalog shall—

(1) identify each such program, and include the name of the program, the authorizing statute, the specific Federal administering officials and a brief description of such program;

(2) set forth the availability of benefits and eligibility restrictions in each such program;

(3) set forth the budget requests for each such program, past appropriations, obligations incurred, the average assistance provided under each such program, and pertinent financial information indicating (A) the size of each such program for selected fiscal years, and (B) any funds remaining available;

(4) set forth the prerequisites, including the cost to the recipient of receiving assistance under each such program, and any duties required of the recipient after receiving benefits;

(5) identify appropriate officials, in Washington, District of Columbia, as well as in each State and locality (if applicable), to

whom application or reference for information for each such program may be made;

(6) set forth the application procedures;

(7) contain a detailed index designed to assist the potential beneficiary to identify all education assistance programs related to a particular need or category of potential beneficiaries;

(8) contain such other program information and data as the Commissioner deems necessary or desirable in order to assist the potential program beneficiary to understand and take advantage of each Federal education assistance program; and

(9) be transmitted to Congress within the first month of each regular session, together with a report setting forth the specific measures taken in the past year to simplify the various application forms and program guidelines a potential beneficiary would use to benefit from each Federal education assistance program, and to coordinate, simplify application forms and program guidelines.

(d) There are authorized to be appropriated for the fiscal year ending June 30, 1970, and each succeeding fiscal year ending prior to July 1, 1972, such sums as may be necessary to carry out the provisions of this section.

(e) Section 706 of the Elementary and Secondary Education Act of 1965 shall become ineffective the first fiscal year for which funds are appropriated to carry out the provisions of this section.

TRAINING TEACHERS OF THE HANDICAPPED

SEC. 206. Section 1 of Public Law 85-926 (grants for teaching in the education of handicapped children) is amended by inserting "and other appropriate non-profit institutions or agencies" after the words "non-profit institutions of higher learning" wherever such words occur.

PREVENTION OF REDUCTION OF STATE AID ON ACCOUNT OF PAYMENTS UNDER PUBLIC LAW 874

SEC. 207. (a) Subsection (d) of section 5 of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended (1) by inserting "(1)" after "(d)", and (2) by adding the following new paragraph:

"(2) No payments may be made during any fiscal year to any local educational agency in any State which has taken into consideration payments under this title in determining the eligibility of any local educational agency in that State for State aid (as defined by regulation), or the amount of that aid, with respect to free public education during that year or the preceding fiscal year, or which makes such aid available to local educational agencies in such a manner as to result in less State aid to any local educational agency which is eligible for payments under this title than such local educational agency would receive if it were not so eligible."

(b) The amendments made by subsection (a) shall become effective with respect to each State on the first day of the first fiscal year which begins after the adjournment of the first complete legislative session (at which State aid may be considered) of such State's legislature held after the date of enactment of this Act.

PROGRAM CONSOLIDATION

SEC. 207. (a) The Commissioner of Education shall not in any manner effect or agree to the consolidation of any programs which will result in the co-mingling at the Federal, State, or local level of funds derived from different appropriations; nor shall he transfer funds derived from one appropriation to the use of any program not covered by that appropriation; nor shall he enter into any agreement with any State educational agency which would have the effect of requiring or providing for the approval of programs involving funds from different appropriations on any basis other than that provided for in the law which authorizes the appropriation of funds for each such pro-

gram; nor shall the making of any grant or contract derived from any appropriation to the Office of Education be conditioned upon the receipt of any grant or contract from any other appropriation.

(b) The Commissioner of Education shall make a study of the feasibility of consolidation of education programs in order to provide for more efficient use of Federal funds at the local level and to simplify application procedures for such funds and shall, within one year of the effective date of this section, submit to the Congress a report on the results of the study and any recommendations for legislation which would facilitate consolidation of education programs.

(c) This section shall become effective July 1, 1968, and shall remain effective until expressly and specifically amended by law.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute to the bill.

Mr. MORSE. Mr. President, I shall proceed now to make a brief legislative history of the Vocational Education Act Amendments of 1968, which is S. 3770.

Mr. President, S. 3770 is the second of the two major educational bills that the Senate Committee on Labor and Public Welfare has brought before the Senate this session. It is the end result of our hearings process which took place over the past 2 years. Most if not all of the provisions in it are based in the testimony in the hearing record before you, particularly in parts 4, 5, and 6. Consultations with interested parties have taken place since the hearings in a continuing effort to reconcile, to the greatest extent possible, the differences of opinion that may have existed among the sincere proponents of our common objective. The differences in the main were only to determine the best way in which the objective and desire can be reached. That objective is the revitalization and the strengthening, through Federal financial support, of program activities in the vocational education area that are being carried on in almost every school district in the Nation.

Once again I have the honor to bring before the Senate the unanimous report of the Committee on Labor and Public Welfare. I wish to say again, if I may have the attention of the minority, that as in the case of the higher education bill, where they filed a very helpful concurring report along with the report of the majority opinion, so, to, here the minority has been a partner throughout in the consideration of the bill and we bring to the Senate, as we did in the higher education bill, a nonpartisan bill, a bill reported by the full committee unanimously.

I am particularly grateful for the great help given to the committee by those State directors of vocational education who have been most generous, both as individuals and through their national group, the American Vocational Association and its professional staff, in bringing to our attention the need for refinement of the language from the time that it was first introduced in the last session of the Congress as S. 1126 and as it was included in the legislation we received in January from the President as S. 3099.

The revisions in vocational education contained in S. 1126 and S. 3099 have

in the current bill been checked against the testimony of the large city superintendents, the vocational educators, and members of public organizations such as the AFL-CIO, and many others.

To all those who helped us in ironing out difficulties I wish to express, on behalf of the members of my subcommittee, our sincerest thanks. I wish also to express my own deep personal appreciation to each of the members of my subcommittee who worked so diligently with me in our many long and tiring sessions in our joint effort to bring to the Senate what I believe to be one of the most important major bills upon which I have had the honor to act as floor manager.

SHORT SUMMARY OF PRINCIPAL PROVISIONS

Turning now to the bill itself, S. 3770 is divided into a number of parts. It is, in effect, an overall amendment and improvement upon the Vocational Education Act of 1963.

TITLE I—AMENDMENTS TO THE VOCATIONAL EDUCATION ACT OF 1963

In part A, which contains general provisions concerning the administration of vocational education programs, the declaration of purpose reiterates the 1963 statement adding to it the new programs which will be incorporated into the legislation when this bill becomes, as I hope it will, enacted prior to adjournment.

Part B of the bill contains the present State plan-State grant program provisions with modifications.

Part C covers special provisions for research in vocational education. In the bill before you we have taken the research moneys which formerly were reserved to the national Office of Education and have allocated this 10 percent of the money appropriated among the 50 States.

Part D of the measure embodies the substance of the administration proposed "exemplary vocational education programs."

Part E contains a new aspect of vocational education which has been entitled "State Emphasis Programs," while part F contains special provisions for home-making education.

Part G contains cooperative vocational education programs.

Mr. President, I shall now briefly discuss in somewhat greater detail each of the parts of the measure.

PART A—GENERAL PROVISIONS

Part A, which contains the general provisions concerning vocational education, has ten sections which deal with authorizations for appropriations allotment of funds, advisory councils, general limitations on payments and definitions as well as the general language concerning administration and labor standards.

With regard to authorization of appropriations, section 102 authorizes the appropriations and provides for the distribution of appropriated funds among the various parts of the program. Since the possibility of insufficient appropriations is very real, section 106 provides for a triggering mechanism which would safeguard existing programs against undue disruption which might result from insufficient appropriations.

Under section 102, 70 percent of the

funds appropriated would be available for the State plan and 10 percent would be available for each of the other vocational programs—research, exemplary programs, and State emphasis programs.

Section 106 modifies this distribution by providing that in any fiscal year when appropriations are not in excess of \$300,000,000, the funds would be used according to present law; that is, 90 percent for the State-plan program and 10 percent for research. It is further provided that no State would receive less than it received in fiscal 1969.

Section 103 would allot funds among the States as funds are allotted under present law except that research money, which is now solely reserved to the Commissioner, would be allotted in the same manner as the rest of the funds are now allotted. This change is in response to considerable testimony in favor of a more equitable geographical distribution of research money.

There are further changes with regard to research which will be pointed out later.

Section 104 deals with national and State advisory councils. As you know, when the Senate initiated the concept of State advisory councils in title III of the Elementary and Secondary Education Act, there was some feeling that we were experimenting in an area heretofore untried in Federal education programs, even though there was some precedent in the Higher Education Facilities Act and the Vocational Education Act of 1963. The administration adopted the concept of the State advisory councils and proposed that they be initiated in that form in the vocational education program. Witnesses during the hearings were favorable to this approach. I understand the House-reported bill contains the administration proposal with strengthening language. The State advisory council concept in the bill before you builds on the title III concept and provides for further guarantees of the independence of those advisory councils. The American Vocational Association and those State directors who have been in communication with the committee generally agree with the provisions in this bill.

I might point out that the executive secretary of the National Council of Chief State School Officers has expressed his opposition to the evaluation features of the proposal. However, his opposition was the only opposition expressed on this point. Personally, I am convinced that we as Senators cannot do our duty with regard to the use of Federal funds in vocational education unless we have adequate information concerning the evaluation and follow-up of the vocational education programs. I do not believe we can legislate in the dark. We need to know whether Federal funds are being used effectively. I do not think the Office of Education should be the agency making this decision. I think that decision rests right here with the Senate and the Congress as a whole.

The State advisory councils, as the bill is now written, are specifically designed to provide us with the information we need in order to legislate

wisely—as well as to advise the States with regard to vocational education.

Section 105 contains general language concerning the Federal administration of the program such as the prohibition against Federal control. However, there is an additional requirement that there be consultation among the various agencies to coordinate vocational education with manpower programs and related training programs in order to prevent overlap and duplication.

Section 107 provides the usual labor standards section.

Section 108 contains the usual prohibition against the use of Federal funds for the teaching of religion and general limitations concerning work-study and work experience programs. At this point I might interject that the bill contains no specific authorization of a Federal program for work-study programs. However, it does authorize the use of Federal funds at the State level for such programs. This has been done in order to alleviate some of our recent difficulties concerning that program. The Bureau of the Budget is determined to eliminate vocational work-study programs. It tried to accomplish this last year by consolidating it with the Neighborhood Youth Corps program under the Economic Opportunity Act by way of appropriations requests. Wisely, the Appropriations Committee rejected this move. Again this year that effort has been made by the Bureau of the Budget by, first, failing to request an extension of the program, and second, failing to request appropriations for the program. In my opinion, vocational work-study programs will not be safe from these efforts on the part of the Budget Bureau as long as the program has a specific set-aside at the Federal level. Therefore, the authority for vocational work-study programs would be transported to the States and beyond the reach of the Budget Bureau by giving the States the authority to support work-study programs. It is for this reason that a general provision concerning such programs is necessary in part A.

That section also provides for general limitations on residential vocational schools which would prevent them from being used as reformatories for delinquents. As in the case of vocational work-study programs, vocational residential school authority has been granted to the States. As the Senate knows, present law authorizes a Federal program of residential vocational schools, which has never been funded. The administration has not even requested funds during the last 2 years. Therefore, the bill would permit the States to use vocational funds for residential vocational schools.

Part A also contains the definitions section. The term "vocational education" has an expanded definition to allow for better coordination between vocational and general education programs, new and emerging occupations, special education to prepare vocational teachers to teach handicapped students, and greater flexibility.

The definitions section also adds to the definition of "construction" the word "acquisition" in order to permit big city

schools to purchase buildings rather than build new buildings. I understand this has been a special problem in New York and I am indebted to the distinguished senior Senator from New York [Mr. JAVITS] the ranking minority member of the Senate Committee on Labor and Public Welfare, for having so well argued the merits of this proposal.

A new definition of "handicapped" and "State board" and "private vocational school" in order to take care of possible ambiguities resulting from the revision has been added.

PART B—DISCUSSION OF STATE VOCATIONAL EDUCATION PROGRAMS

Part B contains the State plan program.

Section 121 authorizes the Commissioner to make grants to the States.

Section 122 specifies the uses of Federal funds. The bill would make the following changes from present law:

First. Exploratory occupation education programs would be specifically included in order to make assistance available at the junior high school level for programs designed to familiarize students with the world of work before they make decisions as to the job they want to be trained for;

Second. Provision for programs designed to prepare high school students for advanced or highly skilled post-secondary education would be included;

Third. Provisions for the handicapped would be clarified;

Fourth. Specific funds would be earmarked for the administration of the program and evaluations; and

Fifth. Clarifying authority would be added to permit contractual arrangements with private technical schools when such private technical schools may provide a better or more efficient training program than is available in the local educational agency program.

Section 123 specifies the requirements for the State plan. Funds would be specifically earmarked in the State plan for programs for the handicapped, the disadvantaged, and the junior colleges. Our hearings revealed that even though this authority was available under present law, the States were not emphasizing these special needs as we had hoped they would 5 years ago. Testimony revealed that less than 2 percent of vocational money was being spent for the special needs of the disadvantaged and the handicapped.

The bill also specifies that 15 percent of the State-plan funds must be used for junior colleges. The National Advisory Council on Vocational Education recommended that 25 percent be earmarked for junior colleges. However, it was pointed out by a number of witnesses that such an earmarking would unduly disrupt present programs, if it were carried out, because money would have to be shifted from present programs to junior colleges.

The State-plan requirements would also include provisions for an annual plan of activities to be carried out under the act and a long-range plan of future activities. The State plan would also have to include provisions concerning the distribution of Federal funds within the States. Testimony revealed that

many of our larger cities have been unable to get Federal funds to initiate vitally needed new vocational education programs because of State distribution policies and the matching requirements. This problem is dealt with by providing that the States may permit new programs to be funded with 100 percent Federal funds so long as the overall matching within the State meets the required matching figure of 50 percent.

Protection was given, however, to those States which, as in a very few States, do not wish to enter the field of post-secondary education.

Here I would like to pay tribute to the junior Senator from the State of Vermont, my very good friend and hard-working colleague [Mr. PROUTY], the ranking Republican member of our subcommittee, who showed us the wisdom in providing for a waiver.

The bill also requires that new Federal money must be expended for new or expanded vocational programs rather than be absorbed by overmatching in present vocational programs. This would require the States to match increased appropriations at the Federal level with increased State and local funds. In order to alleviate some of the difficulties which may arise with this requirement, the concept of the incentive grant proposed by Senator DOMINICK last year was adopted in the form of a waiver provision.

Section 124(a) provides that if the State increases its expenditures by 10 percent over the previous year, any Federal funds which are in excess of 10 percent over the previous year would be free from the matching requirement if the additional funds are used for new or expanded vocational education programs.

It is further provided that, in the case of local educational agencies who cannot raise additional funds to establish urgently needed vocational education programs, the matching with regard to increased appropriations available could be waived in order to assist them in establishing such programs.

PART C—DISCUSSION—RESEARCH AND TRAINING IN VOCATIONAL EDUCATION

Part C separates vocational education research from the State-plan programs and sets forth general guidelines for the conduct of research. General dissatisfaction with the conduct of educational research has been expressed by a number of witnesses. It is generally felt that the statutes authorizing research programs do not provide sufficient guides to the administrators concerning their conduct of the research programs. Therefore, part C is designed to give guidance to the administrators of the vocational research programs.

We can go into detail on this later in debate, as we develop consideration of the bill.

Mr. President, part C also contains a compromise between the positions of those who wanted research transferred to the States and those who wanted research authority to retain its national emphasis. The bill provides that, initially, research money is to be allocated among the States for expenditures. This is designed, as I stated earlier, to insure

equitable distribution of research funds. However, the Commissioner would be permitted to reserve up to 50 percent of the research money for national, regional, and interstate research projects of major significance. If the Commissioner exercises this authority, then the remainder of the research money would be subject to the specific requirement that State boards be given special consideration in their applications for research money. This compromise is further reinforced by a provision in part E which would permit the States to conduct vocational research and curriculum development programs in their State emphasis programs.

I might point out at this time that this compromise has been worked out in consultation with State directors, the American Vocational Association, and the Office of Education; and appears to be generally acceptable.

Part C also includes specific language concerning new and emerging occupations which was suggested by the able and distinguished senior Senator from Texas, Senator YARBOROUGH.

In this area, also, I would be remiss if I did not acknowledge my debt, and I feel sure the debt of all of us who worked together on this bill on the Education Subcommittee, to the great contribution we received from the distinguished junior Senator from Arizona [Mr. FANNIN], a member of the full committee. He brought to our attention the helpful suggestions he had received from his State vocational director, Mr. Art Lee, who pointed out to us the necessity of funding research programs comprising more than one State.

This "regional research authority" will, I know, be particularly helpful to many parts of the country, not in the least to my own State of Oregon, whose metropolis, Portland, has very vital vocational intercommunications across the Columbia with localities in our sister State of Washington. The same can be said, and here the emphasis would be on programs involving vocational agricultural programs, at the eastern extreme of the State where Ontario, Oreg., is linked economically with thriving communities in the great State of Idaho. I feel sure that the junior Senator from California [Mr. MURPHY] would agree with me that in this area, the vocational agricultural problems and needs of Oregon communities on our southern border parallel those to be found in the northern reaches of California and that such interstate authority could be of great assistance to all concerned in working out common solutions through research.

PART D—DISCUSSION OF EXEMPLARY PROGRAMS AND PROJECTS

Part D embodies the administration proposed "exemplary vocational education programs." This program is designed to encourage local school districts to establish model vocational programs designed to meet special vocational needs. These new programs could be initiated with Federal matching at the 90/10 ratio rather than the 50/50 requirement under the State plan. Testimony on this program revealed enthusiastic support by all witnesses.

PART E—STATE EMPHASIS PROGRAMS

Part E, "State Emphasis Programs," was developed in order to accommodate very persuasive testimony to the effect that there is a great need for new initiative at the State level in meeting new vocational needs. Under part E grants would be made to the States to pay 90 percent of the cost of initiating new vocational education programs specifically designed to meet special vocational needs within the States. I might point out that part E differs from part D in that part D requires that the programs be exemplary or innovative while part E would emphasize the States and the newness of the programs, without regard to their being exemplary or innovative. For instance, if a State found that there was a need for residential schools, it could make application under part E for funds to establish residential vocational schools, or if the need was for better curriculum materials, library resources, research or Statewide work-study programs, it could make special application to initiate new programs at the State level. In my own State, the State vocational director has emphasized the need for a special set aside for State initiative in meeting Statewide needs for vocational education. Individuals and groups which have reviewed the proposed program are enthusiastic about the concept of State emphasis programs. To my knowledge, no opposition has been voiced.

Part F specifically authorizes \$15 million for vocational homemaking for fiscal year 1970, and through an amendment persuasively argued by my good friend and staunch coworker in the field of education, the senior Senator from Texas [Mr. YARBOROUGH] this sum for fiscal year 1971 rises to \$25 million and to \$50 million in fiscal year 1972.

Mr. President, I am glad to see the Senator from Arizona [Mr. FANNIN], the Senator from Vermont [Mr. PROUTY], and the Senator from Colorado [Mr. DOMINICK] in the Chamber, because before discussing part G, the cooperative education programs, I want to say that part E is due to the efforts of the Senator from California [Mr. MURPHY] who, really, is the author of the proposal but the other Senators just mentioned joined with him as we pressed for adoption of the Murphy amendment.

PART G—DISCUSSION OF COOPERATIVE EDUCATION PROGRAMS

In part G, as the result of an amendment given to us by the distinguished junior Senator from California [Mr. MURPHY] may be found provisions establishing in the field of vocational education, the cooperative work-study program which has its counterpart in the higher education bill we considered earlier. It is the purpose of this part of the measure to assist the States to expand cooperative work-study programs by providing financial assistance for personnel to coordinate such programs and to provide instruction related to work experience; to reimburse employers if it becomes necessary for certain added costs incurred in providing on-the-job training through work experience, and to help

to pay costs of certain services such as transportation of the students involved. It is modestly funded rising from \$25 million in fiscal year 1970 to \$50 million in fiscal year 1971 and to \$75 million in fiscal year 1972.

I cannot stress too much the importance of vocational education, not only in alleviating some of the problems of the dropout situation, but also in helping that group of young men and women who are not interested in going on to a further liberal arts education. Vocational education will help train them with the skills necessary for them to be employable and to carry out their responsibilities in the communities in which they live.

TABLE IV.—PROJECTED OBLIGATIONS, S. 3770, VOCATIONAL EDUCATION AMENDMENTS OF 1968

EXTENSION AND AMENDMENT OF EXISTING PROGRAMS

(In thousands)

	1968		1969		1970 authori- zation	1971 authori- zation	1972 authori- zation
	Authori- zation	Appropri- ation	Authori- zation	House appropri- ation			
Title I—Amendments to the Vocational Education Act of 1963:							
Pt. B—Comprehensive State vocational education programs.....	\$259,652	\$256,461	\$259,652	\$255,377	\$402,500	\$525,000	\$525,000
Pt. C—Research and training in vocational education.....	22,500	11,550	22,500	11,550	57,500	75,000	75,000
Pt. F—Homemaking education.....	(1)	(1)	(1)	(1)	25,000	35,000	50,000
Total.....	282,152	268,011	282,152	266,927	485,000	635,000	650,000

NEW PROGRAMS

Title I—Amendments to the Vocational Education Act of 1963:							
Pt. D—Exemplary programs and projects.....					\$57,500	\$75,000	\$75,000
Pt. E—State special emphasis programs.....					57,500	75,000	75,000
Pt. G—Cooperative vocational education programs.....					25,000	50,000	75,000
Title II—Miscellaneous provisions: Early education of handicapped children.....			\$5,000		10,000		
Total.....			5,000		150,000	200,000	225,000
Grand total (authorizations, fiscal years 1970-72).....						2,345,000	

¹ Included in pt. B above.

Mr. MORSE. Mr. President, Senators will note that we have not substantially increased our authorizations for fiscal year 1969. This is in accordance with the policy earlier adopted that new programs should not be operationally funded in that year. However, as in the case of the higher education bill, which was debated on the floor earlier, provision has been made to provide in fiscal year 1969 an authorization for a modest amount of money to enable the Commissioner to process the necessary paperwork for the establishment of the programs. It is our hope through this lead-time period of a year that the Commissioner will be able to complete all necessary steps so that the programs may become efficiently operative on July 1, 1969.

An added advantage of this proposal is that our colleagues on the Appropriations Committee will have ample time to make adequate provision for the funding of these programs in an orderly fashion.

Mr. President I ask unanimous consent to have printed in the RECORD additional tabular material reflecting State-

FUNDING OF VOCATIONAL EDUCATION PROGRAMS

Now a word about the funding proposed in the bill. The Education Subcommittee brought to the full committee a 5-year extension. In our full committee deliberations, however, it was decided for both this measure and for the higher education measure that we would adopt as a uniform principle a 4-year authorization.

Mr. President, I ask unanimous consent to have printed in the RECORD a table which may be found in the committee report which sets forth the authorizations for each of the fiscal years covered by this extension.

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

TABLE I.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED VOCATIONAL EDUCATION AMENDMENTS OF 1968, TITLE I, AMENDMENTS TO THE VOCATIONAL EDUCATION ACT OF 1963: FISCAL YEARS 1970 TO 1972¹—Con.

PUBLIC LAW 88-210, TITLE I—Continued

	Fiscal year 1970	Fiscal years 1971 and 1972
50 States and the District of Columbia—Continued		
Illinois.....	\$23,965,277	\$31,259,057
Indiana.....	13,862,796	18,081,908
Iowa.....	8,251,852	10,763,285
Kansas.....	6,745,357	8,798,292
Kentucky.....	11,856,840	15,465,443
Louisiana.....	13,293,914	17,339,888
Maine.....	3,403,282	4,439,063
Maryland.....	9,714,809	12,671,490
Massachusetts.....	13,023,855	16,987,637
Michigan.....	22,551,188	29,414,594
Minnesota.....	10,556,719	13,769,633
Mississippi.....	9,097,672	11,866,529
Missouri.....	13,148,967	17,150,827
Montana.....	2,325,941	3,033,836
Nebraska.....	4,275,032	5,576,129
Nevada.....	945,369	1,233,090
New Hampshire.....	2,022,569	2,638,133
New Jersey.....	15,453,898	20,157,258
New Mexico.....	3,675,258	4,793,815
New York.....	39,250,265	51,195,998
North Carolina.....	19,273,163	25,138,908
North Dakota.....	2,353,550	3,069,848
Ohio.....	28,711,108	37,449,271
Oklahoma.....	8,610,083	11,230,543
Oregon.....	5,774,797	7,532,344
Pennsylvania.....	32,366,590	42,217,292
Rhode Island.....	2,496,290	3,256,030
South Carolina.....	10,553,045	13,764,841
South Dakota.....	2,369,240	3,090,313
Tennessee.....	14,152,724	18,460,075
Texas.....	36,752,143	47,937,578
Utah.....	3,433,205	4,478,093
Vermont.....	1,391,874	1,815,488
Virginia.....	15,744,141	20,535,836
Washington.....	8,568,727	11,176,600
West Virginia.....	6,871,046	8,962,234
Wisconsin.....	11,992,742	15,642,707
Wyoming.....	989,165	1,290,215
District of Columbia.....	1,574,673	2,053,921
American Samoa.....	114,992	149,990
Canal Zone.....		
Guam.....	358,079	467,060
Puerto Rico.....	9,985,601	13,024,697
Virgin Islands.....	202,783	264,500
Trust Territories.....	320,965	418,650

¹ Estimated distribution of funds on basis of current formula with percentages adjusted to 100.

TABLE II.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED VOCATIONAL EDUCATION AMENDMENTS OF 1968, TITLE I, AMENDMENTS TO THE VOCATIONAL EDUCATION ACT OF 1963: FISCAL YEAR 1970 TO FISCAL YEAR 1972¹

PROPOSED PT. F—HOMEMAKING EDUCATION

	Fiscal year 1970	Fiscal year 1971	Fiscal year 1972
United States and outlying areas.....	\$25,000,000	\$35,000,000	\$50,000,000
50 States and District of Columbia.....	24,522,556	34,331,577	49,045,109
Alabama.....	578,520	809,928	1,157,040
Alaska.....	30,635	42,889	61,270
Arizona.....	232,265	325,171	464,530
Arkansas.....	312,093	436,931	624,187
California.....	1,880,277	2,632,387	3,760,552
Colorado.....	251,215	351,701	502,430
Connecticut.....	275,252	385,352	550,503
Delaware.....	50,418	70,586	100,837
Florida.....	781,025	1,093,435	1,562,050
Georgia.....	733,083	1,026,317	1,466,167
Hawaii.....	98,207	137,489	196,413
Idaho.....	108,212	151,496	216,423
Illinois.....	1,042,023	1,458,833	2,084,047
Indiana.....	602,737	843,831	1,205,473
Iowa.....	358,775	502,852	717,550
Kansas.....	293,277	410,587	586,553
Kentucky.....	515,488	721,684	1,030,977
Louisiana.....	577,965	809,151	1,155,930
Maine.....	147,965	207,151	295,930
Maryland.....	422,383	591,337	844,767
Massachusetts.....	566,282	792,794	1,132,563
Michigan.....	980,488	1,372,683	1,960,977
Minnesota.....	458,980	642,572	917,960

See footnote at end of table.

by-State allocations of the funds for vocational education in this bill.

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

TABLE I.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED VOCATIONAL EDUCATION AMENDMENTS OF 1968, TITLE I, AMENDMENTS TO THE VOCATIONAL EDUCATION ACT OF 1963: FISCAL YEARS 1970 TO 1972¹

PUBLIC LAW 88-210, TITLE I

	Fiscal year 1970	Fiscal years 1971 and 1972
United States and outlying areas.....	\$575,000,000	\$750,000,000
50 States and the District of Columbia.....	564,017,580	735,675,103
Alabama.....	13,306,765	17,356,650
Alaska.....	704,673	919,139
Arizona.....	5,342,320	6,968,243
Arkansas.....	7,178,494	9,363,253
California.....	43,245,303	56,406,917
Colorado.....	5,777,958	7,536,467
Connecticut.....	6,330,390	8,257,030
Delaware.....	1,159,624	1,512,553
Florida.....	17,963,088	23,430,115
Georgia.....	16,861,895	21,993,776
Hawaii.....	2,258,928	2,946,428
Idaho.....	2,488,976	3,246,496

See footnote at end of table.

TABLE II.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED VOCATIONAL EDUCATION AMENDMENTS OF 1968, TITLE I, AMENDMENTS TO THE VOCATIONAL EDUCATION ACT OF 1963: FISCAL YEAR 1970 TO FISCAL YEAR 1972 —Continued

PROPOSED PT. F—HOMEMAKING EDUCATION—Continued

	Fiscal year 1970	Fiscal year 1971	Fiscal year 1972
50 States and District of Columbia—Con.			
Mississippi.....	\$395,507	\$553,709	\$791,013
Montana.....	571,713	800,399	1,143,427
Nebraska.....	101,125	141,575	202,250
Nevada.....	185,870	260,218	371,740
New Hampshire.....	41,107	57,549	82,213
New Jersey.....	87,940	123,116	175,880
New Mexico.....	671,952	940,732	1,343,903
New York.....	159,782	223,694	319,563
North Carolina.....	1,706,689	2,389,364	3,413,376
North Dakota.....	837,913	1,173,079	1,675,827
Ohio.....	102,322	143,250	204,643
Oklahoma.....	1,248,336	1,747,669	2,496,670
Oregon.....	374,350	524,090	748,700
Pennsylvania.....	251,078	351,510	502,157
Rhode Island.....	1,407,322	1,970,250	2,814,643
South Carolina.....	108,538	151,954	217,077
South Dakota.....	458,778	642,290	917,557
Tennessee.....	103,007	144,209	206,013
Texas.....	615,323	861,453	1,230,647
Utah.....	1,597,879	2,237,030	3,195,756
Vermont.....	149,258	208,962	298,517
Virginia.....	60,515	84,721	121,030
Washington.....	684,903	958,305	1,369,007
West Virginia.....	372,548	521,567	745,097
Wisconsin.....	298,728	418,220	597,457
Wyoming.....	521,423	729,993	1,042,847
District of Columbia.....	43,007	60,209	86,013
American Samoa.....	68,748	95,870	136,957
Canal Zone.....	4,998	6,998	9,997
Guam.....	15,565	21,791	31,130
Puerto Rico.....	434,113	607,759	868,227
Virgin Islands.....	8,815	12,341	17,630
Trust Territories.....	13,953	19,534	27,907

¹ Estimated distribution of funds on basis of Public Law 88-210, sec. 3 formula with percentages adjusted to 100 percent.

TABLE III.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED VOCATIONAL EDUCATION AMENDMENTS OF 1968, TITLE I, AMENDMENTS TO THE VOCATIONAL EDUCATION ACT OF 1963: FISCAL YEAR 1970 TO FISCAL YEAR 1972¹

PT. G—COOPERATIVE VOCATIONAL EDUCATION PROGRAMS

	Fiscal year 1970	Fiscal year 1971	Fiscal year 1972
United States and outlying areas.....	\$25,000,000	\$50,000,000	\$75,000,000
50 States and District of Columbia.....	24,500,000	49,000,000	73,500,000
Alabama.....	491,353	982,705	1,474,058
Alaska.....	35,885	71,771	107,656
Arizona.....	208,411	416,822	625,232
Arkansas.....	260,859	521,717	782,576
California.....	2,262,155	4,524,309	6,786,463
Colorado.....	251,197	502,394	753,591
Connecticut.....	329,869	659,737	989,606
Delaware.....	62,109	124,218	186,328
Florida.....	674,920	1,349,839	2,024,759
Georgia.....	610,950	1,221,900	1,830,150
Hawaii.....	102,135	204,270	306,405
Idaho.....	97,994	195,989	293,983
Illinois.....	1,262,887	2,525,774	3,788,660
Indiana.....	622,472	1,244,943	1,867,416
Iowa.....	354,712	709,425	1,064,137
Kansas.....	285,702	571,404	857,107
Kentucky.....	436,144	872,289	1,308,433
Louisiana.....	494,113	988,226	1,482,339
Maine.....	128,359	256,717	385,077
Maryland.....	456,848	913,695	1,370,543
Massachusetts.....	629,373	1,258,746	1,888,119
Michigan.....	1,080,700	2,161,400	3,242,100
Minnesota.....	458,228	916,455	1,374,683
Mississippi.....	340,910	681,821	1,022,731
Missouri.....	541,040	1,082,080	1,623,120
Montana.....	95,234	190,468	285,702
Nebraska.....	179,427	358,853	538,280
Nevada.....	46,927	93,854	140,781
New Hampshire.....	82,812	165,624	248,437
New Jersey.....	794,997	1,589,995	2,384,992
New Mexico.....	144,921	289,843	434,764
New York.....	2,045,463	4,090,925	6,136,387
North Carolina.....	697,003	1,394,006	2,091,009

See footnote at end of table.

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TABLE III.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED VOCATIONAL EDUCATION AMENDMENTS OF 1968, TITLE I, AMENDMENTS TO THE VOCATIONAL EDUCATION ACT OF 1963: FISCAL YEAR 1970 TO FISCAL YEAR 1972 —Continued

PT. G—COOPERATIVE VOCATIONAL EDUCATION PROGRAMS—Continued

	Fiscal year 1970	Fiscal year 1971	Fiscal year 1972
50 States and District of Columbia—Con.			
North Dakota.....	\$88,333	\$176,666	\$264,999
Ohio.....	1,307,053	2,614,107	3,921,160
Oklahoma.....	311,926	623,852	935,778
Oregon.....	252,577	505,155	757,732
Pennsylvania.....	1,394,006	2,788,012	4,182,018
Rhode Island.....	107,656	215,312	322,968
South Carolina.....	386,457	772,914	1,159,371
South Dakota.....	91,093	182,187	273,280
Tennessee.....	509,295	1,018,591	1,527,886
Texas.....	1,394,006	2,788,012	4,182,018
Utah.....	138,020	276,041	414,061
Vermont.....	52,448	104,895	157,343
Virginia.....	592,107	1,184,215	1,776,322
Washington.....	400,259	800,518	1,200,777
West Virginia.....	262,239	524,477	786,716
Wisconsin.....	524,477	1,048,955	1,573,432
Wyoming.....	44,167	88,333	132,500
District of Columbia.....	78,672	157,343	236,015
Outlying areas.....	500,000	1,000,000	1,500,000

¹ Estimated distribution of funds with 2 percent reserved for the outlying areas, and the balance distributed on the basis of 15-19 population, July 1, 1966.

TITLE II OF S. 3770

Mr. MORSE. Mr. President, the bill, as I have indicated, contains two major titles. We have just discussed title I which reflected the changes in vocational education authorities. I turn now to the miscellaneous provisions of the bill which may be found in title II. These miscellaneous provisions are in this measure, rather than in the measure considered earlier, since for the most part they are concerned with provisions which either cross jurisdictional subcommittee lines in our sister committee in the other body, or which are within the particular jurisdiction of the subcommittee headed by the Honorable ROMAN PUCINSKI, chairman of the General Education Subcommittee.

In section 201 we provide for adequate leadtime planning and evaluation of education programs. In this section, we have attempted to generalize the principle which now is contained in the Elementary and Secondary Education Act through amendments adopted in Public Law 90-247. It is my considered judgment that this is one of the most important sections of the bill, since through its enactment, and I trust it will be enacted, for all those who are engaged in budgeting and financial operations in the field of education and who have an interest in any of the statutes which have been enacted conferring jurisdiction upon the Office of Education, for all these educational leaders uncertainty will be replaced by certainty, and programs can be scheduled without fear.

The economies inherent in such a move are self-evident and it is my belief that program operations will be greatly strengthened.

Section 202 permits the benefits of the provisions of the Adult Education Act of 1966—title III of Public Law 89-750—to be extended to young people aged 16 and 17.

Section 203 extends for 1 year the authority presently contained in section 305(c) of the Elementary and Secondary Education Act of 1965. It is regrettable that we have been unable, as a Congress, adequately to fund many of our education programs and this authority would reserve, to the greatest extent possible, commitments which were previously made under title III as it originally operated, for the additional time necessary to complete such earlier approved 2- and 3-year projects.

Section 204 is the result of the concern shared by many of our colleagues on the subcommittee and in particular the respected ranking minority member, the distinguished junior Senator from Vermont [Mr. PROUTY]. It would add to title VI of Public Law 89-10 a new part E providing for early education of handicapped children. This new program, which has merit on its face, because of the undeniable fact that handicapped youngsters—if they are to be afforded equal education opportunities, because of the nature of their disabilities—must receive a more expensive education. The earlier such education is provided, the easier it becomes, in the later years, to help to bring them to a par with their more fortunately endowed contemporaries.

Section 205 brings into one place in our statutes authorities regarding the collection and dissemination of information which heretofore have appeared in piecemeal fashion in many pieces of legislation.

This section essentially is designed to facilitate what I believe to be the desire on the part of all members of the subcommittee, at as early a date as can be conveniently reached, the codification of our various statutes in the education area. In discussing this section, I particularly wish to pay tribute to the tremendous interest which has characterized the contributions of the very able senior Senator from West Virginia [Mr. RANDOLPH] who with the distinguished senior Senator from Texas, has been our leader in attempting to bring to local school districts throughout the country accurate information regarding the various programs which we have worked upon in the field of education in the past 6 or more years.

This section also contains a new provision which we believe can be a major force in bringing into being a widespread dissemination of information regarding educational programs administered by the Office of Education. It is a provision that bears the imprint of origination and development of the hard-working and conscientious ranking minority member of the Education Subcommittee, the distinguished junior Senator from Vermont. Under its provisions the Commissioner of Education is directed to prepare and make available a catalog of all educational Federal assistance programs whether or not such programs are administered by the Office of Education.

Such an annual catalog as is prescribed by the language will, I know, make easier the job of school administrators. I might add that it also will be a

most helpful publication to each senatorial office since it will enable each office to answer the many requests which periodically are made by concerned citizens and school officials in each of our constituencies, for basic information.

In section 206, there is a slight change submitted, which if adopted, would broaden section 1 of Public Law 89-926, a program of grants for teaching in the education of the handicapped children, by inserting language which would permit such training to take place in non-profit institutions or agencies other than those of higher learning.

In this field of special education teacher training, we must really go where the expertise is, if we are to get the quality of instruction of our teachers which is so necessary if, they in turn, are adequately to draw forth from the children entrusted to their care, the full potential with which these children are endowed. That is where most of the handicapped children are. They are not in institutions of higher learning. We can go into the nonprofit institutions or agencies where the children are and do the training, and have the teaching of the handicapped there.

Section 207 was added to the bill in an effort to overcome a problem which we felt militated against the effectiveness of Public Law 874. It is a maintenance of effort section in the best sense of the word, but it is directed against a practice which seems to be in danger of becoming prevalent. It is a practice which the three judge court sitting for the Eastern District of Virginia has found to be in contravention of the Constitution.

The situation that this provision is designed to correct, roughly is as follows: The fact that a school district has received Public Law 874 payments—based upon the number of children whose parents live and work on Federal property, or whose parents live or work on Federal property—has been taken into consideration by the State, and moneys that that school district would otherwise have received from other State sources of school support, because of the receipt of Public Law 874 funds, have been reduced.

Not only are some States not carrying out their partnership obligation, but they are, really, letting the taxpayers of this country take up the obligation that they otherwise would be obligated to pay. Such a reduction of State aid nullifies in the committee view, the intent of the Congress in establishing and continuing the impacted areas aid program.

In the judgment of the committee, the adoption of this provision will go far in correcting the situation. I hope that it will receive the approval of both the Congress and the President.

The final section of title II deals with a matter which is of deep concern to the committee since it touches upon the importance under our system of government of having Executive agencies act under, and only under, express provisions of controlling statutes. I ask unanimous consent, Mr. President, that the text of the committee report touching upon section 208 which sets forth in detail the

problem and the suggested remedies be printed at this point in my remarks.

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

OFFICE OF EDUCATION—ADMINISTRATION OF PROGRAMS

In connection with the committee's oversight hearings, a number of concerns expressed by witnesses and others who have been in communication with the committee about the administration of education programs have been brought to the committee's attention. Several of the amendments proposed by the administration in S. 3098 heightened those concerns. The Office of Education seems to have taken upon itself, in the judgment of some members, a leadership responsibility which is in excess of that expressly granted by law. It has been suggested that some of the States may have taken upon themselves greater authority in the administration of Federal education programs than that which is granted to them by the authorizing statute. Specifically, the Office of Education has assumed a responsibility for setting national priorities upon which Federal education programs should be focused; and the States, it appears, in some instances, have assumed the authority for imposing additional requirements for eligibility for participation in Federal educational programs. It is the position of this committee that national priorities are to be set by Congress and that the basic requirements for participation in Federal programs are set by Federal law alone. The committee is further cognizant of the fact that there are urgent needs for special emphasis with regard to use of Federal funds. The committee has recommended to the Congress a number of times that national priorities be set to meet critical needs in education. With the enactment of the National Defense Education Act in 1958, a precedent was set for congressional establishment of priorities in education. The Congress has continued to set priorities through the enactment of more than 30 major education laws in the past 10 years.

At times in recognizing national priorities, the Congress has directed the Office of Education to grant special consideration to applications which propose to carry out certain types of projects, as in the case of the special consideration set forth in title III of the Elementary and Secondary Education Act. The mere fact that Congress itself has designated priority areas of concern precludes those who are in administrative responsibility from taking upon themselves the setting of national priorities. This is a legislative, not an administrative, function. The Congress both authorizes appropriations and appropriates funds according to the will of the people. It is the proper role of the Congress, not the executive branch, to carry out the will of the people.

One of the amendments submitted by the administration in connection with title III of the NDEA would have required the States to set forth in their State plans any additional requirements imposed by the States for participation in title III of the NDEA. This committee was surprised that such an amendment should be proposed. For the mere fact that States might be imposing additional requirements for participating in Federal programs is far beyond what was intended in the enactment of title III of the NDEA. The States have no authority to impose additional requirements. It is not intended, and ought not be tolerated. Therefore, the Office of Education is directed to study the administration of title III of the NDEA and all other State plan programs in order to ascertain whether or not the States are imposing additional requirements for participation in Federal programs. If it is found that States are imposing additional requirements, these facts should be brought to

the attention of the committee in order that it may advise the Commissioner as to whether those sections of the appropriate laws which permit him to withhold for noncompliance with State plans shall be put into action. If this is done then no fund payments shall be made under the State plan until the administration of the State plans is brought back into compliance with Federal law.

It has been brought to the attention of the committee that some States may have imposed more strict maintenance of effort requirements upon local educational agencies than that which is authorized by the appropriate law, specifically allegations were made with regard to the State of Oregon in the administration of title II of the ESEA. If this be the case, the Office of Education is directed to take steps immediately to bring those States into compliance with the law.

The committee wishes to emphasize again that the Congress sets the sole criteria for participation in Federal programs. Basic eligibility for participation in Federal funds has, unless otherwise specified by law, been reserved to the Congress and not to administrative agencies.

The committee has added language to this bill which is designed to assure the maintenance of a proper relationship between the policymaking role of Congress and the administrative authority of the executive branch.

Section 208 provides (1) that the Commissioner shall not effect or agree to the consolidation of any programs which will result in the commingling at the Federal, State, or local level of funds derived from different appropriations, (2) that he shall not transfer funds from one appropriation for any use not authorized by that appropriation, (3) that he shall not enter into any agreement with a State educational agency which would abridge the provisions of law for the approval of programs, and (4) provides that no grant or contract derived from any appropriation to the Office of Education shall be conditioned upon the receipt of any grant or contract from any other appropriation.

The committee interprets the term "appropriation" to mean a specific line item in an appropriation act.

The committee has been concerned for some time that in the administration of education programs, the Office of Education is exercising discretionary authority not specifically authorized by law. These actions may not and probably are not in most instances prohibited by the letter of the law, but the committee believes that when a major reorganization of programs or approaches to the administration of programs occurs, the administration should seek changed or new authority in law for such efforts.

Our concern is that the purposes of legislation as carefully considered by the Congress may be modified or distorted by administration of the programs in a way that may pose serious problems.

The Office of Education has within the past year moved in the direction of packaging programs or the administrative aspects of the programs. These packaging efforts can be divided into three categories.

The first of these involves local packaging efforts. Two distinct problem areas are involved currently: the rural isolated school districts and central city school districts. In the case of the rural isolated districts, six representative predominantly Negro school districts in three Southern States were selected for intensive study. The study was conducted by personnel from seven universities and reviewed by a committee of State, local university, and Office of Education personnel who developed recommendations for educational improvement.

Proposals for the districts to utilize title I and title III ESEA funds to meet major areas of need were developed under a con-

tract with the Southeastern Educational Laboratory. The University of Georgia is conducting under title XI NDEA funds two special summer institutes for personnel from these six districts and some 240 other predominantly Negro districts which can benefit from this type of approach.

In the case of the central city districts, 23 central city projects have been approved under title III of ESEA for support amounting to approximately \$12 million. This resulted from cooperative efforts involving the cities, State departments of education, regional offices of the U.S. Office of Education, and six regional educational laboratories and the Research Council for the great cities school improvement program representing the school administration in major cities. The coordinated planned programs also include title I of ESEA and State and local funds.

The second type of arrangement, consolidation of State education agency administrative funds, involves the development of a single application to the Office of Education to merge and account for as a single item, rather than by program service, the administrative funds available to them from State plan programs, including ESEA title I. The plans are designed to preserve the integrity of the individual programs.

The third approach involves coordination of program funds. Here the State develops a plan to accomplish specific program objectives. Various Federal programs may then be coordinated to accomplish these objectives. In no case are program sources to be masked, legislation or legal requirements breached, or program approval requirements changed. As an example, the State of North Dakota has proposed a highly coordinated plan to offset the training deficiencies of teachers throughout the State.

The committee does not wish to take the posture that it is opposed to packaging and coordination of Federal programs in local school districts. There are, undoubtedly, many advantages to be obtained from such efforts. It is our view, however, that such major changes in approach to the administration of Federal educational support programs should receive the full consideration of the Congress and be specifically authorized.

The language we are reporting is not designed to upset practices of packaging at the local level which we are informed have been followed in many districts for a number of years on local initiatives. It is not intended to stop efforts being undertaken by the Office of Education, State departments of education, and local school districts to take a new look at their patterns of administration. We recognize the need for close coordination of existing Federal programs and these programs, in turn, with other public and private efforts if we are to avoid duplication and overlap of activities. This becomes even more vital in a period of high demand and the currently extreme budgetary situation.

Section 208 is designed to assure that there will be no diversion of one appropriation to another through a commingling of funds not authorized by law. We have been assured that the activities so far proposed would not result in such diversion. We are also concerned that the local or State options provided by law are not disturbed and that no coercion or undue pressure be used in the packaging efforts.

The committee would emphasize that the consolidation or packaging arrangement should be voluntary and preserve all local discretion, as provided in law.

On the basis of information presented to date, the committee does not see any real problem with the local packaging arrangements as embodied in the efforts to support rural isolated districts and central city districts. It has more concern with the consolidation of State administrative funds and the possible effects this may have on authorized programs, though it recognizes the

possibility of some inherent advantages and administrative efficiencies.

In the case of the coordination of program funds, the committee is not clear as to the full implications which may be involved. Where it is clearly a State originated effort and does not violate the legislative prescriptions for approval of programs we see no particular difficulty at this time, to the extent that States do not impose additional requirements limiting the total eligibility of local schools.

Because of the possible implications to established programs the Office of Education should consider its current packaging efforts as merely experimental. The Commissioner of Education should report to the committee early in the next session the results of such activities and provide suggested language for legislation to authorize any desired packaging or consolidation arrangements. The committee will expect to conduct full-scale hearings on these approaches at that time.

Finally, it is recognized that in the developing of packages or coordinated efforts, there must be conversations between local and State educational agencies and the Office of Education. Such contacts, conversations or technical assistance are not prohibited by section 208(a); coercive efforts by the Office of Education and State educational agencies to bring about such arrangements are forbidden. The purpose of this section, it must be reiterated, is to maintain the voluntary nature of such arrangements on local initiative, as opposed to State initiative.

Another amendment proposed by the administration would have permitted funds authorized under subpart 2 of part B of title V of the Higher Education Act to be used by State educational agencies rather than by local educational agencies. That program in its original enactment was designed to assist local educational agencies in recruiting teachers. Teacher recruitment has traditionally been the function of local educational agencies rather than the States. The only role the States have traditionally played with respect to teachers has been one concerning the minimum qualifications for teacher certification. Recruitment and hiring practices have been left to local agencies. It is the position of this committee that the relationships between State and local educational agencies are a matter of State and local law rather than one of Federal concern unless a constitutional principle is involved. If the States are to take greater control of teacher hiring practices, this should be done by State law rather than by Federal law. This committee is absolutely opposed to changing State-local relationship by means of Federal law. This is beyond the power of Congress, and if those relationships are changed as a side effect of Federal law, an error has been made in the interpretation of the Federal law, it is not the intent of the Congress. At the present time the questions of teacher hiring practices, recruiting, and teacher salaries are of a very sensitive nature, one which this committee chooses to leave in the hands of local officials. This committee in rejecting the proposed amendment to title V-B-2, it made a purposeful decision to prohibit the use of Federal programs to change State-local relationships.

A third amendment proposed by the administration would have repealed those parts of title III of the NDEA which authorize funds for State administrative expenses and State supervisory services in critical subject matter areas. The committee feels that the administration was asking for an after-the-fact ratification of an earlier consolidation of titles III and X of the NDEA with title V of the ESEA. This this committee refuses to recommend, and in section 702 of S. 3769 recommends a prohibition against such consolidation.

The committee has reviewed the administration of education programs in a great deal of detail. The concerns of the committee have

not been spelled out to the extent that the committee will like. This is because the committee has been faced with a deficiency of information and is reluctant to give greater direction than known facts would merit. The committee serves notice at this time that the Office of Education must in the future be in a position to provide it with greater detail and supporting evidence justifying both proposed amendments and administrative policies. The committee recognizes the fact that the Office of Education is not at the present time administratively equipped to deal with Congress in a day-to-day situation. However, the Office of Education has tripled in size for the last 4 years, and it is time for the Office of Education to organize at the Commissioner's staff level an office of congressional relations which will have two functions: (1) providing the Congress with the information necessary to conduct its oversight function and (2) exercising an internal review function.

At the present time the Office of Legislation within the Office of Education has done an admirable job in carrying out its duties, considering the fact that it is sorely understaffed.

The Commissioner is directed to reconsider the entire role of the Office of Legislation within the Office of Education and make whatever changes are necessary in order to assure that the Office of Legislation can and will carry out the functions which are inherently associated with an agency's relationship with Congress.

CONCLUSION

Mr. MORSE. Mr. President, I believe I have completed the presentation of my case in chief on the merits of the measure before you. I have left a printed copy on each Senator's desk. I can only reiterate that it is founded upon careful weighing and sifting of testimony from a wide spectrum of informed opinion; that it has received the close personal attention of each member of the subcommittee; and that it reflects our best judgment as to the merits. I would add only that it was unanimously ordered by the full committee, and I hope that it will receive the sanction of this body.

Mr. President, before completing this presentation and opening the bill for general debate, I would like to present to the Senate a description of the parliamentary situation of the bill which emanated from the other body. That is: the House has already taken action. I made a motion at the beginning of the discussion of this bill that we substitute the Senate language for the House language, so we can go to conference and iron out the differences which may finally need to be resolved at that time.

That completes my legislative history of the bill.

Mr. JAVITS. Mr. President, I support this bill just as the Senator from Oregon has laid it out.

MINORITY CONTRIBUTIONS

Mr. President, I ask unanimous consent that the supplemental views of the minority members of the committee, who were unanimous in supporting the bill and reporting it, may be made a part of my remarks at this point.

There being no objection, the supplemental views were ordered to be printed in the Record, as follows:

SUPPLEMENTAL VIEWS

The undersigned members of the minority on the committee support the Vocational Education Amendments of 1968. Our support is consistent with the historic sponsor-

ship and support of constructive vocational education legislation in the Congress on a bipartisan basis.

NEW NEEDS IN VOCATIONAL EDUCATION

The blue ribbon Advisory Council on Vocational Education, in its report submitted at the end of last year, expressed the view that "two principal failures of vocational education restricted its ability to match the requirements of the fast-changing economy and technology to the vocational needs and desires of individuals: (1) Lack of sensitivity to changes in the labor market and (2) lack of sensitivity to the needs of the various segments of the population."

The Council's report then detailed how vocational education is failing to keep pace with the changing times, citing failure to develop programs in areas where critical manpower shortages exist (for example, the health occupations); insufficient growth in postsecondary vocational education; failure to meet the needs of a growing urban economy, the needs of the disadvantaged, and the needs of the handicapped; weak and unimaginative research efforts; poor work-experience programs; insufficient liaison with State employment services; inadequate counseling and guidance services; lagging vocational teacher training; inadequate prevocational instruction and outdated curriculums. The Council also cited the U.S. Office of Education for insufficient emphasis on its vocational education duties and for ineffective and unimaginative leadership.

This bill seeks to correct these deficiencies. We are particularly gratified to note some of the contributions of minority members of the committee to the bill which will help meet these shortcomings and other education needs. These are:

1. Establishment of a new cooperative vocational education program.
2. Preschool and early education programs for handicapped children.
3. Including guidance and counseling in State vocational education programs.
4. Programs in vocational educational to deal with dropouts.
5. Catalog of all Federal education programs, including regulations and guidelines, as an aid to local governments, institutions, and individuals, and for administrative efficiency.
6. Permitting State emphasis program funds to be used for innovative vocational education research projects at State and local levels.
7. Including consumer education programs in Homemaking Education.
8. Expanding the definition of "construction" in the Vocational Education Act to include acquisition of existing structures.
9. Provision for local school board members on National and State advisory councils on vocational education.
10. Utilization of research coordinating units for developing and disseminating research in educational and other agencies in each State and among the States.
11. Including the disadvantaged in the provision for dissemination of information on education opportunities.

In addition to these, minority members were responsible for many technical improvements to the bill.

Americans, as they have since the inception of our Republic, live in a changing and growing nation. We of the minority are especially concerned that vocational education keep pace with these changes and this growth, meeting the economic and human needs which are their product. We are pledged that this shall be done.

JACOB K. JAVITS.
WINSTON PROUTY.
PETER H. DOMINICK.
GEORGE MURPHY.
PAUL FANNIN.
ROBERT P. GRIFFIN.

Mr. JAVITS. Mr. President, we again take considerable satisfaction from the constructive and creative amendments which the minority has caused to be included in the bill, and which make it truly a bipartisan bill in every sense of the word.

We are particularly proud, for example, of the program for cooperative vocational education and the program in vocational education to deal with school dropouts for which the Senator from California [Mr. MURPHY] has been responsible. We are very proud of the consumer education program in respect of homemaking education and the inclusion of guidance and counseling in State programs. We are also very proud of the preschool and early education programs for handicapped children authored by the gentleman from Vermont [Mr. PROUTY] and the several excellent amendments by the gentleman from Arizona [Mr. FANNIN].

This brings to mind a very important point, because many of us in the committee were very concerned about the utilization of the vocational education program in a very important way, for training. But there has been criticism of the use of the funds with an undue emphasis at the high school and junior high school level upon homemaking activities. I thought, and I think other members of the committee thought, there was some justification for those criticisms. We believe in calling attention to it, because, after all, that this is a State operated program, though the Federal Government is responsible for a substantial part of the resources that go into it. We thought by appointing State advisory councils and giving our own views as to areas of vocational education which needed to be emphasized—for example, the report underlines the need for education in various types of health activity, especially in fields like practical nursing, which lend themselves very specially to the vocational education field—a great improvement can be made in the utilization of these resources.

We have also pointed out the strengths of vocational education in the field of office services, for example, where they are indispensable with the very large increase in service occupations in the United States. Indeed, with the tremendous shift from what are called blue-collar to white-collar jobs, the nature of vocational education becomes critically important whether in public or non-public schools.

Finally, I call attention to the discussion we had on the higher education bill and the urgent need for special training of a vocational education character demanded by the progress and greater technical organization of the American industrial machine.

This is really an indispensable law. It is just a question of how well it is run. In the exercise of our legislative oversight function, which in this case is very close, it will give us some examples of what we worry about and what we are seeking to correct and also seeking to emphasize in respect to the vocational education program. I join with Senator

MORSE in recommending it to the Senate.

To help Members of the Senate with respect to their plans henceforth today, I wish to state that I know of two amendments to be offered to the bill. One is by the Senator from Illinois [Mr. DIRKSEN], of the same kind which the Senator from Oregon accepted to the bill—

Mr. MORSE. Mr. President, will the Senator yield at that point?

Mr. JAVITS. I yield.

Mr. MORSE. I have been informed that the Senator from Illinois [Mr. DIRKSEN] may desire a rollback of his amendment. I shall do what I can to help him get it if he wants it.

Mr. JAVITS. Then I would succeed that, if the leadership desires to keep the Senate in session that long, with an amendment which I shall offer in my own behalf and on behalf of Senators BROOKE, CLARK, and HART, to deal with the school lunch program.

Mr. PROUTY. Mr. President, S. 3770 is the Education Subcommittee's response to one of the bitterest tragedies in American education. It is an attempt to rebuild the bridge between man and his work and to refocus anew on a long neglected and lonesome legion of youngsters who, through no fault of their own, have been shunted aside by the educational structures in this country.

It is pathetic that in this day and age those who are seeking vocational education and those who are searching for a first chance to enter into the mainstream of general education are paid the least attention to, and are given the lowest priority by our national administration.

For example, the administration has budgeted more money in fiscal year 1969 for the 38,000 enrollees in the Job Corps than it has for the 4 million enrollees in vocational education and for the 7 million handicapped children served under title VI of the Elementary and Secondary Education Act. Furthermore, the administration's budget for 1969 cut funds for vocational education below the 1967 level and recommends less than 20 percent of authorized appropriations for title VI programs.

Thus, the bill seeks to bridge that gap between what is being done and what should be done to bring job training for Americans and education opportunities for our handicapped children into harmony with the industrial, economic, and social realities of the present day. It redirects the course of vocational education and initiates preschool and early education programs for our exceptional children.

It recognizes that education is one of our most powerful weapons in the war against poverty, and proposes what I believe to be far reaching steps to break the cycle of unemployment, underemployment, and poverty through intensive education and training programs.

S. 3770 is not the work of any one man or agency. It combines contributions from the administration, from each member of the subcommittee, and, most important, from practicing schoolmen across the country.

Especially helpful to the Subcommittee

tee were the impressive presentations from the vocational educators themselves, who shared with us their common concern over the inadequacies of the present system. They assisted us greatly in our deliberations and we translated the best possible solutions into what I consider an honest and creditable effort to meet the challenges of providing education programs that are relevant in terms of preparing our youth for the demands of employment in this technological society.

Mr. President, vast backwaters of educational poverty exist in America—from the slums of our great cities to the remote hills of Appalachia. Despite our immense educational effort, three out of 10 young Americans this year will not finish high school. Only four out of 10 will continue education beyond the 12th grade. A very large percentage of America's coming adult population will enter the space age insufficiently equipped to take a useful place in it. Several million will become unemployables—the dropouts from tomorrow's world.

At this critical stage in history, with our world leadership under heavy challenge, the skills of our people remain the greatest single source of our Nation's strength. If we are to fulfill our global destiny, we cannot afford to squander the talent of a single individual through lack of educational opportunity.

It is most ironic, Mr. President, that after more than 50 years of Federal support for vocational education, we still do not have a national system. There is no general qualitative and surprisingly little quantitative information on vocational education. It is doubtful if more than one out of 10 of the graduates of our secondary schools are prepared with entrance level skills in any vocation in which there is an opportunity for actual job placement. Furthermore, vocational education is often not available to those who need it most.

In my judgment, our experiences with the MDTA, Job Corps, and the OEO job programs are eloquent testimony to the failures of our schools to meet the challenges of educating our youths for the world of work. For every dollar budgeted for vocational education, \$7 are needed for make-work and rehabilitative programs. The price of human renewal is fantastically high and its successes to date are at best questionable, considering that today we have 1 million more recipients on the welfare roles than in the depression year of 1936.

As the U.S. Riot Commission report states:

Despite substantially increased efforts made possible by the Vocational Education Act of 1963, quality vocational education is still not available to all who need it. The recent report of the Advisory Council on Vocational Education, established to evaluate the Act, concluded that, although 5 out of 6 youths never achieve a college education, only a quarter of the total high school population in the country received vocational education. Similarly, a 1964 Labor Department survey found that less than one-half of the non-college trained labor force had any formal training for the jobs they held.

Existing vocational training programs are not effectively linked to job opportunities.

The Advisory Council found "little evidence of much effort to develop programs in the area where critical manpower shortages exist—the health occupations and technical fields."

The special need of the dropout is still being neglected. With an unemployment rate for Negro youth more than twice that for white youth, this need is particularly acute.

It is appalling to think that those who graduated from school in 1966 endured an unemployment rate of 14.2 percent; of the 1½ million who dropped out of school that year, 17.4 percent were unemployed.

When the census was taken in 1930, before the depression began, the teenage unemployment rate was 8.3 percent, about 1½ times the total rate of 5.2 percent. By 1948, the teenage rate was nearly 2½ times as high as the national rate. In 1963, for the first time, it was three times as high. And by 1967, it was nearly 3½ times as high.

Furthermore, the position of the non-white teenager is deteriorating even faster. In 1954, their unemployment rate was 16.4 percent, about 4 percentage points higher than the white rate of 12.1 percent. In 1967, it was 26.5 percent for the nonwhite teenager, almost 2½ times the white rate of 11 percent.

Moreover, as Secretary of Labor, Willard Wirtz testified:

Unemployment is not the whole story. In 1967, 343 thousand 16 to 19 year olds (9.4% of the "full-time" labor force) were working only part-time when they wanted full-time jobs. There are also the discouraged who are not looking for work, and those whose jobs have little potential and are personally unrewarding.

While unemployment, at the present, is our best developed measure of the youth situation, it leaves out as much as it tells. Better indicators are needed.

While these problems are most severe among low income families, they cannot be isolated as created by poverty alone. The teenager rate is 17.4% in poverty families. It is almost as high—16.6%—in families with incomes from \$3,000 to \$5,000. In families making \$10,000 or more the rate is still double the national average.

The U.S. keeps a larger proportion of its youth in school longer than does any other nation, supposedly to insure their adequate preparation for lifetime activity. Yet the unemployment rate of its youth is far higher than other industrialized nations. In most other developed countries, young workers are so much in demand that the danger is that they will be taken out of school too early. Yet the nation with the most extensive educational system in the world and with the strongest economy is putting more than 10% of its youth through a bitter period of frustrating and difficult unemployment.

These are grim, devastating facts. There is one inescapable conclusion. The massive doses of medicine recently administered to the nation's youth—the remedial youth training programs under MDTA, the Job Corps, the Neighborhood Youth Corps, and the Youth Opportunity Centers—have been essential to prevent a bad disease from becoming a fatality. But, they have not been enough to restore the patient to vital health.

Garth Mangum reports in "Reorienting Vocational Education":

For a nation as a whole, it is an anomaly that preparation for employment currently merits an annual federal investment of \$256 million compared to \$4.5 billion for higher education, \$3.2 billion for elementary and

secondary general education and \$1.8 billion for remedial work and training programs primarily for those who enter the labor market with inadequate preparation.

Against this background, Mr. President, your committee was in unanimous agreement that a specific, sustained, and massive action program as recommended by the Advisory Council on Vocational Education in its December 1967 report was desperately needed.

Dropouts do not just happen, they are caused. Youngsters do not drop out of school because they do not want to succeed, they do so because too few of our schools have persuaded them that they have something meaningful and useful to offer these children. Hence, every dropout is not only a personal tragedy but an indictment of the system.

Our distinguished colleague and chairman of the Subcommittee on Education has already gone over the provisions of this measure in detail. Rather than retrace his steps, I will instead highlight briefly the provisions which I believe to be of special interest.

S. 3770 proposes a major overhaul of the Vocational Education Act of 1963 by closing the credibility gap between the promises and the prospects. Since preparation for the world of work as well as for basic skills is the major thrust, the legislation feeds innovations into the mainstream in the hope of developing a greater sensitivity on the part of the educational community in acquainting youngsters with the opportunities of the space age.

In a direct response to the recommendations of the National Council on Vocational Education the bill consolidates the various existing authorities for vocational education programs and requires the States to expend at least 30 percent of their Federal allotments on programs of research, innovation and special emphasis. This will, it is hoped, inject a breath of fresh air into a school curriculum that has become inbred and unimaginative. However, the committee has safeguarded existing programs against undue disruption by providing that no State will receive less money for its general purpose programs than it is scheduled to receive in fiscal year 1969.

The legislation requires the States to earmark at least 25 percent of their funds for special programs for the disadvantaged and the handicapped. Our hearings revealed that even though this authority was available under present law, the States were not emphasizing these special needs as we had hoped they would. Testimony reveals that only 2 percent of vocational money is being spent for this. Vocational education, the National Council concluded was neither retaining potential dropouts nor preparing them for employment.

The Advisory Council on Vocational Education also recommended more expenditures on programs at the post-secondary level. Technical occupations and other employment opportunities demanding at least 2 years of schooling beyond high school continue to experience a rapid growth. Yet, enrollment in post-secondary level courses in fiscal year

1966 was only 7.3 percent of vocational education.

Responding to the Council's recommendation, the committee specifies that 15 percent of the State plan funds must be used for postsecondary education. The Council had recommended a 25-percent set-aside but it was pointed out by a number of witnesses that such an earmarking would disrupt present programs because money would have to be shifted from on-going projects to junior colleges. A waiver provision is further provided to assist the smaller States such as Vermont who might be unable to use a full 15 percent reservation because of insufficient applications for postsecondary education programs.

Mr. President, I would like to call the Senate's attention to section 196—the cooperative vocational education programs. Although well organized programs of cooperative education are widely held to be effective education programs, only about 150,000 or 2 percent of vocational students were enrolled in 1967.

The concept of the cooperative is the integration of theory and work in practice. The student alternates periods of full-time studies and related full-time employment.

Charles F. Kettering, the inventor and longtime director of General Motors Research, said of cooperative education:

What gives cooperative education its strength is that it lap-welds theory from the classroom with practice on the job. It creates a weld that is much stronger than the butt-weld of a college degree followed by employment, the two touching only at one point.

In considering the development of co-op programs for the youngsters, several benefits become immediately apparent. They would have direct on-the-job contact with professionals whose job it is to stay up to date in their profession. They would be able to observe and assess the importance of personal traits so necessary for employment: punctuality, dress, regular attendance, and responsibility for completing assigned tasks.

It is my strong belief that work experience should be extended to all students because in this way the youngsters can be encouraged to try out a variety of work situations under experienced teachers before they leave school and make career decisions.

The bill requires that each State establish an advisory council broadly representative of industry, labor, education, and the public, to evaluate vocational programs funded under the act. The councils are specifically designed to provide Congress and the American people with adequate information concerning the evaluation and followup of the vocational education programs. In order to legislate wisely we need to know whether Federal funds are being used effectively for the purposes designated in the legislation that we authorize.

The establishment of such advisory councils in each State is based on the testimony of many witnesses and to fulfill the recommendations of the Advisory Council.

Hopefully, Mr. President, the thrust of the new legislation will erase the current bleak statistics and assist school systems to develop more realistic programs to enable our youngsters to earn a living.

Mr. President, of the many unfortunate children we have come to call the disadvantaged, no child is more deserving of our interest and our assistance than the child who is born with a physical, mental, or emotional handicap.

Part E, "Early Education of Handicapped Children," authorizes special preschool and early education programs for those youngsters who enter the classrooms with a built-in disadvantage.

It is identical to S. 3446 which I was privileged to introduce earlier this session and which has now been unanimously recommended by your committee. It authorizes \$5 million the first year and \$10 million the second year. In this day of billion dollar programs, this is not a giant project in terms of cost, but the magnitude of its contribution to the 7 million school age handicapped children will be enormous.

The bill envisions exemplary programs as pilot projects to new approaches to the special educational needs of children impeded with problems of blindness, deafness, mental retardation, speech impairment, emotional disturbances, crippled limbs, and other health impairing disabilities who cannot now be served in normal channels.

I became aware of this situation through my interest in the activities of the Friends of Retarded Children in Bennington, Vt. This group of interested parents and citizens has begun special classes for the retarded, summer camping programs, health and recreation programs, and special programs to help other parents understand the nature of retardation. Recently they have been able to start a preschool program in which the children are already showing improvement in speech, physical coordination and ability to participate in group activity.

In looking into this situation further, I found that in many States the public education of handicapped children cannot begin before the first grade or kindergarten. This is true despite the general knowledge that mental and social development of children can be accelerated by early educational opportunities.

In the past there have been very few preschool programs for the handicapped children. Often this has meant that a child's handicap is not detected until first grade, at the age of 6. As one education expert expresses it:

In neglecting to make adequate provision for the handicapped pre-school child, educators enter the scene five years too late.

Mr. President, the programs for the handicapped have been conducted in past years on primarily a piecemeal basis. A beginning solution to the problem of special education was made 2 years ago when this body authorized a new title VI to the Elementary and Secondary Education Act to aid the States in educating handicapped children. This program constitutes the backbone of a firm national policy—a policy that favors excel-

lence in special education for the handicapped as a sound Federal investment. But the crusade we began then in behalf of our handicapped children and their families must be further implemented if we are serious about trying to give these children an educational bill of rights.

It is not enough for us to do just a little bit better for them than we do for our more fortunate children—we must devote as many of our teachers and as many of our dollars as the job requires—not just a little more of each.

This afternoon, your committee in acknowledging that as Headstart has given a good start to a lot of economically disadvantaged youngsters and Follow-through has them headed in the right direction, so First Chance has the same potential for encouraging educational agencies to build quality and experimentation into their special education programs. How good—how different—how innovative—the answers are that schools come up with will present an unprecedented opportunity to study solid data on how best to meet the problems of the handicapped.

It is designed to meet the needs of the total child by providing physical and psychological services as well as education instruction. Each child will be assured proper nutrition, physical activity, rest and medical care. He will be taught to find himself as a person, to develop self-confidence and a sense of autonomy. He will learn to overcome his handicapping condition to the best of his ability. His range of experience will be extended and he will receive the encouragement to participate in a variety of social situations.

That the obstacles involved in instructing our handicapped offer a great challenge goes without saying. They require more than educational components, more than money and more than legislative muscle. They require a comprehensive, coordinated efficient service program that needs the attention of many specialists. If the needs of handicapped children are to be fully met, a much better job of marshaling and coordinating of many professions must be done.

These model educational programs will work with all the agencies and organizations in a given community that are concerned with handicapped children. The teachers of the handicapped child will no longer be working alone in an isolated classroom. They will be joined by parents, technicians, medical specialists in a comprehensive program.

I am convinced that of the several tools we have provided for the children in the past 2 years, none will have more promise for affecting their lives than this new program.

Finally, Mr. President, I wish to pay tribute to and to extend my sincerest thanks to Jack Forsythe, Charlie Lee, Roy Millenson, Dick Smith, and all the other staff members who assisted us, for their wisdom in defining the problems and for developing fresh programs to deal effectively with these problems.

VOCATIONAL EDUCATION AND THE MURPHY COOPERATE EDUCATION AMENDMENT

Mr. MURPHY. Mr. President, for some time and for reasons of personal experience when I was a young man, I have

been interested in vocational education, its present condition, its potential, and the great hopes and possibilities I see for its future.

My concern was evidenced last year when I offered an amendment to the Office of Economic Opportunity's Job Corps program. This amendment, as my colleagues will recall, authorized a model combination vocational school and skill center. This pilot proposal was advanced because I feared that:

First. Vocational education by and large was not training and teaching for today and tomorrow's job market.

Second. Adequate evaluation and followup on vocational students did not exist.

Third. The interchange between the school, industry and the community was missing.

Fourth. Expensive facilities were not being utilized to the extent possible.

Fifth. Programs for the disadvantaged were inadequate.

Mr. President, I am sorry to say that most of my fears and feelings were substantiated by the President's National Advisory Commission on Vocational Education. For example, it was discovered that more than half of the students in vocational education are still being trained in the fields of agriculture and home economics. This emphasis, of course, tended to reflect our economy from the past and of the Smith Hughes Act of 1917, when there was a great need in our Nation's economy for employment in agriculture. American industry at that time was in its infancy. The National Advisory Council in its report stated:

Two principal failures of vocational education which restricted its ability to match the requirements of the fast-changing economy and technology to the vocational needs and desires of individuals:

1. Lack of sensitivity to changes in the labor market; and
2. Lack of sensitivity to the needs of the various segments of the population.

Mr. President, often I have a great deal of skepticism about the value of advisory councils and I have wondered if all of them were needed and what positive contribution they made to the improvement or the betterment of the various programs. I want to take this opportunity to congratulate the members of the President's Advisory Council on Vocational Education, however, for they have made a truly outstanding and searching examination of vocational education. For anyone interested in American education, this report should be required reading. Certainly one way to measure the merits of an advisory committee is by studying the results and implementation of their recommendation.

The vocational education legislation being considered today is in no small part due to the outstanding background information and recommendations made available by the Council.

Mr. President, Members of the Congress should take considerable pride in the bill before the Senate today, which is the result of the initiative of the Congress. We often read in the press and elsewhere that the Congress fails to initiate legislation, that we only "ap-

prove or disapprove" of the recommendations of the administration. This is one excellent example to the contrary, and clearly demonstrates the caliber of legislation produced when Congress works its will.

In view of the deficiencies of vocational education and its potential, and in view of the needs of individuals, particularly the disadvantaged, for occupational education, and in view of industry's need for skilled workers, one would have expected the administration to come forward with major recommendations to reshape and chart the future critical role to be played by vocational education. This administration's answer in response to the problems and to the Advisory Council's recommendation was one new program, the exemplary vocational program, and a few administrative changes. Yet, despite this administration's complacency and indifference, the Senate Labor and Public Welfare Committee brings to the floor today a bill, which I believe will become recognized as an educational milestone. It is a good example of the vision and the leadership of the legislative branch and of the skills and talents of the chairman of the Education Committee [Mr. MORSE].

Despite the pressure for quick action, the chairman did not move to the measure too quickly just to get a bill. In fact, the committee held extensive hearings and spent considerable time working out the recommendations that we bring to the Senate floor today. I want to discuss particularly one segment of the bill which I authored. This section, found in part G, authorizes a new cooperative vocational education program. This proposal was strongly supported by both the majority and minority in committee.

Mr. President, cooperative education is not new. It has been used for many years. Perhaps one of the best known examples, at least in the higher education areas, is the Drexel Institute in Philadelphia which has been there since I was a youngster and lived in Philadelphia. The excellence and success of its cooperative education program is well recognized and the whole concept needs to be employed to a greater extent at the lower levels of education.

Cooperative vocational education programs presently exist at the secondary level of high schools, but the facts are that the nation has failed to develop work-school arrangements adequately, particularly in view of the program's potential and promise.

While work-experience programs are beneficial to all students, the presence or absence of such programs could be crucial for disadvantaged youngsters. Schools sometimes have an artificial atmosphere. The disadvantaged youngster oftentimes is unable to see and understand the relevance of education to the outside world and to employment. The relationships between education and employment and earning escape this youngster. For the youngster's sake, for society's sake, for the Nation's sake, this relationship must be brought home.

Mr. President, we live in the midst of an "educational explosion" and a technological revolution. We are told that our supply of knowledge doubles each

decade. Given this background, can it any longer be argued that because a youngster is not doing well in school, he is better off dropping out of school and getting a job. Mr. President, for a youngster lacking a high school education, the facts are that jobs are not available. At the same time that we are witnessing an "education explosion", the number of unskilled jobs continues to shrink.

Also disturbing, Mr. President, is the nonsense one often hears that a youngster unless he goes on to college, is doomed to failure. I went to college and for many reasons, did not stay too long; but I do not think I have been exactly a failure. I know hundreds of others of whom I can say the same. Certainly the college degree is important and it is clear that everyone whose abilities and interests permit should attend college. We must see to it that this is possible.

The Higher Education Act amendments which we earlier passed will help to make this possible. What is equally clear is that not everyone needs nor should they have a college degree. There are and will continue to be good jobs available for trained and skilled individuals with less than a college degree. Mr. President, we must see to it that they are educationally and occupationally trained for employment.

For the two out of three young persons who end their education at or before completion from high school, and particularly the disadvantaged, the cooperative vocational education program is aimed. The President's Advisory Commission, which strongly endorsed work-experience programs, observed:

A significant achievement of the work-education programs is the removal of the artificial barriers which separate work and education. The establishment and continuation of work-education programs require educational staff involvement with industry personnel. Through this interaction the needs and problems of both are made known and greater understanding takes place. In addition to making curriculum revision more rapidly reflective of current occupations, the programs have great value in providing students with the proper attitudes for the work environment.

Despite the obvious advantages of cooperative vocational educational programs, statistics indicate that promise of such programs are reaching a small proportion of those who could benefit from such experiences.

For example, only 2 percent of vocational students in the school year 1965-66 were enrolled in cooperative vocational education programs. In 1963, only 3 percent of school dropouts and 7 percent of high school graduates had supervised work experience during the period they were in school.

Mr. President, I point out that my amendment requires that priority be given to areas of high dropouts and youth unemployment rates for the cooperative vocational education program. For these youngsters the cooperative vocational education program should be particularly beneficial. By wedding the world of work with the school environment, the youngster will see more clearly the relevance of education and employ-

ment. This in itself will be a tremendous help in motivating and encouraging young people to complete high school.

Mr. President, I am confident my amendment which provides for a 3-year program of grants to the States will stimulate the needed development and expansion of cooperative education programs across the country. The amendment, which I indicated earlier, was warmly received in committee and I believe it will prove to be a wise investment for the American people. I ask unanimous consent that the section analysis of the cooperative vocational education program in the report and part G of the Vocational Education Amendments of 1968 be printed in full in the RECORD.

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

PART G—COOPERATIVE VOCATIONAL EDUCATION PROGRAMS

Section 171. Findings and Purpose.—Subsection (a) of this section sets forth the congressional findings. The purpose is to assist the States to expend cooperative work-study programs by providing financial assistance for personnel to coordinate such programs and to provide instruction related to the work experience; to reimburse employers when necessary for added costs for providing on-the-job training through work experience; to pay costs for such services as transportation of students or other unusual costs that individual students may not reasonably be expected to assume while pursuing a cooperative work-study program.

Subsection (b) authorizes appropriations of \$25 million for fiscal year 1970, \$50 million for fiscal year 1971, and \$75 million for fiscal year 1972, for grants to the States under this part.

Subsection (c) provides for reserving up to 2 percent of the sums appropriated for Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands and for allotting the remainder among the States according to the relative populations aged 15 to 19 in each State. Reallocation of unneeded sums is authorized.

Subsection (d) provides that, in order to participate in the program, a State must, through its State board, submit a State plan to the Commissioner setting forth policies and procedures to be used in establishing cooperative work-study programs through local educational agencies and public and private employers. Such policies and procedures must assure that the cooperative work-study programs will provide training opportunities that are not otherwise available; that procedures are established for cooperating with employment agencies, labor groups, employers, and other community agencies in identifying suitable jobs for persons who enroll in cooperative work-study programs; that reimbursed on-the-job training is related to existing career opportunities susceptible of promotion and advancement and does not displace other workers who might ordinarily be hired to perform such work; that ancillary services and activities are provided, such as preservice and inservice training for teacher-coordinators, supervision, curriculum materials, and evaluation; that priority for funding cooperative work-study programs through local educational agencies be given to areas that have high rates of school dropouts and youth unemployment; and that such accounting, evaluation, and follow-up procedures as the Commissioner deems necessary will be provided.

Subsection (e) provides for a Federal share of not more than 90 percent of the State's expenditures under its State plan for the cooperative work-study program.

Subsection (f) defines the term "cooperative work-study program" as meaning a program of vocational education for persons who, through a cooperative arrangement between the school and employers, receive part-time instruction, including required academic courses and related vocational instruction, in the school and on-the-job training through part-time employment. Such programs should provide for alternation of study in school with a job in any occupational field, but these two experiences must be planned and supervised by school and employers so that each contributes to the student's education and to his employability. Work periods and school attendance may be on alternate half-days, days, weeks, or other periods of time.

"PART G—COOPERATIVE VOCATIONAL EDUCATION PROGRAMS

"SEC. 171. (a) The Congress finds that cooperative work-study programs offer many advantages in preparing young people for employment. Through such programs, a meaningful work experience is combined with formal education enabling students to acquire knowledge, skills, and appropriate attitudes. Such programs remove the artificial barriers which separate work and education and, by involving educators with employers, create interaction whereby the needs and problems of both are made known. Such interaction makes it possible for occupational curricula to be revised to reflect current needs in various occupations. It is the purpose of this section to assist the States to expand cooperative work-study programs by providing financial assistance for personnel to coordinate such programs, and to provide instruction related to the work experience; to reimburse employers when necessary for certain added costs incurred in providing on-the-job training through work experience; to pay costs for certain services, such as transportation of students or other unusual costs that the individual students may not reasonably be expected to assume while pursuing a cooperative work-study program.

"(b) There are authorized to be appropriated \$25,000,000 for the fiscal year ending June 30, 1970, \$50,000,000 for the fiscal year ending June 30, 1971, and \$75,000,000 for the fiscal year ending June 30, 1972, for making grants to the States for programs of vocational education designed to prepare students for employment through cooperative work-study arrangements pursuant to this part.

"(c) (1) From the sums appropriated pursuant to this section for each fiscal year, the Commissioner shall reserve such amount, but not in excess of 2 per centum thereof, as he may determine and shall apportion such amount among Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands, according to their respective needs for assistance under this section. From the remainder of such sums the Commissioner shall allocate to each State an amount which bears the same ratio to any residue of such remainder as the population aged fifteen to nineteen, both inclusive, in the State bears to the population of such ages in all the States.

"(2) The amount of any State's allotment under this section for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the State's plan approved under subsection (d) shall be available for reallocation from time to time, on such dates during such years as the Commissioner may fix, and on the basis of such factors as he determines to be equitable and reasonable, to other States which as determined by the Commissioner are available to use without delay any amounts so reallocated for the purposes set forth in subsection (d). Any amount reallocated to a State under this paragraph during

such year shall be deemed part of its allotment for such year.

"(3) The population of particular age groups of a State or of all the States shall be determined by the Commissioner on the basis of the latest available estimates furnished by the Department of Commerce.

"(d) (1) A State, in order to participate in the program authorized by this part, shall submit to the Commissioner, through its State board, a State plan which shall set forth policies and procedures to be used by the State board in establishing through local educational agencies and public and private employers cooperative work-study programs. Such policies and procedures must give assurance that—

"(A) funds will be used only for developing and operating cooperative work-study programs, as defined in subsection (f), which provide training opportunities that may not otherwise be available and which are designed to serve persons who can benefit from such programs;

"(B) necessary procedures are established for cooperating with employment agencies, labor groups, employers, and other community agencies in identifying suitable jobs for persons who enroll in cooperative work-study programs;

"(C) provision is made for reimbursement of added costs to employers for on-the-job training of students enrolled in cooperative programs, provided such on-the-job training is related to existing career opportunities susceptible of promotion and advancement and does not displace other workers who might ordinarily be hired to perform such work;

"(D) ancillary services and activities to assure quality in cooperative work-study programs are provided for, such as preservice and inservice training for teacher coordinators, supervision, curriculum materials, and evaluation;

"(E) priority for funding cooperative work-study programs through local educational agencies, be given to areas that have high rates of school dropouts and youth unemployment; and

"(F) such accounting, evaluation, and follow-up procedures as the Commissioner deems necessary will be provided.

"(2) The Commissioner shall approve a State plan which fulfills the conditions specified above, and the provisions of subsections (b), (c), and (d) of section 123 (relating to the approval of State plans) shall apply to this section.

"(e) Funds allocated under this section for cooperative work-study programs shall be available for paying not more than 90 per centum of the State's expenditures under its State plan for any fiscal year.

"(f) For the purposes of this section, the term 'cooperative work-study program' means a program of vocational education for persons who, through a cooperative arrangement between the school and employers, receive part-time instruction, including required academic course and related vocational instruction, in the school and on-the-job training through part-time employment. Such programs should provide for alternation of study in school with a job in any occupational field, but these two experiences must be planned and supervised by school and employer so that each contributes to the student's education and to his employability. Work periods and school attendance may be on alternate half-days, days, weeks, or other periods of time."

Mr. JAVITS. Mr. President, when I arose to speak I mentioned that the minority, which was unanimous in reporting the bill, took great pride in a number of creative recommendations contained in the bill. I named specifically the Senator from California and the particular amendments he offered with re-

gard to cooperative education and school dropouts.

I associate myself with what I consider to be the view of the manager of the bill, the chairman of our subcommittee, in commending the Senator for his very creative and very fine program which, I agree thoroughly, will be very useful and important, especially when zeroed in on what particularly ails us with respect to our youth today.

Mr. MURPHY. Mr. President, I thank my distinguished colleague, the Senator from New York, for his most kind and generous remarks. I also thank the distinguished chairman of the committee.

I have had the privilege of serving on many committees here. And I have enjoyed no committee more than I have the committee headed by the manager of the bill, the distinguished senior Senator from Oregon, who has probably more experience in the Senate than I will ever have.

I thank the Senator for the opportunity to watch the way in which he operates and observe the constructive and considerate and determined manner in which he approaches the problem, and the way in which he assimilates and puts all productive ideas together. The end result is that we have a bill of which I feel we can be very proud.

It is a pleasure to be associated with the distinguished Senator from Oregon.

Mr. MORSE. Mr. President, the Senator from California is very gracious and generous to me in his kind remarks. However, I expressed myself earlier this afternoon, in the absence of the Senator from California, with regard to part G of the bill, of which the Senator is the author. I pointed out that he and some of his colleagues, the Senator from Vermont [Mr. PROUTY], the Senator from Colorado [Mr. DOMINICK], and others, deserve a great deal of credit for helping to put through the committee the amendment of the Senator from California with regard to the vocational cooperative education program.

I think that there is not anything in the bill more important than the Murphy amendment. It will be translated into benefits to young men and women who otherwise would be denied a vocational educational opportunity.

The Senator from New York [Mr. JAVITS] also spoke about what the Senator from California did last year in connection with our elementary and secondary school bill in regard to a dropout program.

I simply rise to say that, appreciative as I am of his kindness to me, all he has demonstrated is what I have been saying several times this afternoon—that the credit for the bill is to be equally divided among all of us, because it comes as a unanimous bill and not as a Democratic or a Republican bill. It is a non-partisan bill.

I cannot be too high in my praise for the work that the Senator from California [Mr. MURPHY] has done in our committee since we have been fortunate enough to have him appointed as a member of the committee.

Mr. MURPHY. Mr. President, I thank the distinguished Senator from Oregon

very much. I assure my colleagues that he has given me far greater credit than I am entitled to.

It has been a pleasure to work on his committee, and it is a pleasure to be able to come before the Senate with a bill concerning which we are unanimously enthusiastic.

Mr. CLARK. Mr. President, I join my friends, the Senators from Oregon and New York, in their commendation not only of the Senator from California, who took the lead in connection with this particular section of the bill dealing with cooperative education, but also of all other minority members of the committee. I refer to the Senator from Colorado and the Senator from Arizona.

There was really a bipartisan effort in both of the bills, the higher education bill and the vocational education bill.

We all worked together in a spirit of cooperation and unanimity to do something effective for the schoolchildren of America.

I think the minority members deserve high credit for the leadership they took in helping us on the majority to put together a bill of which we can be proud. I think particularly the Senator from California in this regard.

Mr. MURPHY. Mr. President, I thank the Senator from Pennsylvania. And I assure him that we are most enthusiastic. This has been an example of a complete bipartisan, nonpolitical, cooperative effort with a single objective—to report a bill that will be good for the future of the youngsters of our country and which makes it good for the country as a whole.

I think this is a concrete example of how effective such cooperative and bipartisan work can be.

I thank my distinguished friend very much for his kind remarks.

I yield the floor.

Mr. DIRKSEN. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to state the amendment.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the RECORD.

The amendment ordered to be printed in the RECORD reads as follows:

At the end of the bill insert a new section as follows:

"REQUIREMENT WITH RESPECT TO ENFORCEMENT OF COMPULSORY ATTENDANCE LAWS"

"SEC. —. (a) Effective for fiscal years beginning after the date of enactment of this Act no local educational agency may receive any financial assistance under this Act, or any Act amended by this Act, unless such agency has certified to the Commissioner of Education, in such form as is prescribed by the Commissioner, that it is taking all appropriate steps that all laws relating to compulsory school attendance in the district of such agency are being enforced.

"(b) The Secretary of Health, Education, and Welfare shall make an investigation and study of State laws relating to compulsory school attendance for the purpose of deter-

mining what Federal action, if any, should be taken to promote minimum education requirements throughout the Nation. In carrying out such investigation and study the Secretary shall consult with appropriate Federal, State, and local officials. The Secretary shall report the results of such investigation and study, together with his recommendations, to the President and the Congress not later than July 1, 1969."

Mr. DIRKSEN. Mr. President, I offered the amendment to the higher education bill and made what I thought was as much explanation as was required.

That explanation was implemented with some data and figures from the Census Bureau and the Office of Education showing how indifferent they are in some areas of some States with respect to the enforcement of compulsory school laws for school attendance.

I pointed out then what an anomaly it is that we spend \$6,000 and \$7,000 to take care of a school dropout by a special program when, as a matter of fact, by the enforcement of the school laws in the various States we could probably retrieve or avoid some of those losses and do an exceptionally better job than is being done at the present time.

I was delighted that the distinguished Senator from Oregon, the manager of the bill, looked with favor upon this amendment and was willing to take it to conference. The distinguished Senator from New York [Mr. JAVITS] made one suggestion that I have incorporated in the amendment. And so it has their approval that it be adopted and go to conference for consideration.

I ask unanimous consent that the explanation in connection with it be printed at this point in the RECORD, and beyond that I think it requires nothing more.

There is one other program in the amendment, and that calls for an investigation or a school survey and a report with respect to the compulsory school laws of the respective States.

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

EXPLANATION OF PROPOSED AMENDMENTS TO S. 3769, THE HIGHER EDUCATION ACT AND THE VOCATIONAL EDUCATION ACT

An examination of the attached statistics taken from U.S. Census Bureau illustrates graphically the fact that the Compulsory School Attendance Laws of the various States are not being enforced. Attached also is a portion of the Department of HEW report, State Law on Compulsory Attendance, showing existing attendance laws in each State as well as a summary on school census and the penalties for failing to require school attendance.

The amendment would require the appropriate official in each school district to certify, as a condition of obtaining any funds from any program under either Act, that the Compulsory Attendance laws are being enforced in his district. Any person making a false certification would of course be subject to the provisions of Sec. 1001 of Title 18, U.S. Code, that provides a criminal penalty of not more than \$10,000 or imprisonment of not more than five years or both for making a false statement.

In addition the amendment directs the Secretary to prepare recommendations to the Congress and to submit them by July 1, 1969, which recommendations shall indicate the minimum level of educational attainment that the Secretary feels essential to meet the

needs of today. Congress would then be in a position to determine whether or not higher standards should be provided as a condition of receiving federal aid.

Those who require their own children to attend school have very pronounced feelings about those who do not. And, taxpayers generally, resent seeing \$5,000 to \$6,000 a year being spent to educate drop outs when enforcement of school attendance laws would have prevented much of this, particularly had the educational course been properly oriented.

Mr. MORSE. Mr. President, if there are enough Senators present, I would like to ask for the yeas and nays.

Mr. DIRKSEN. Mr. President, I do not ask for the yeas and nays.

Mr. MORSE. Mr. President, I will be glad to accept the amendment without a rollcall vote. I thought it might facilitate matters in conference.

Mr. JAVITS. Mr. President, I join in the acceptance of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois.

The amendment was agreed to.

Mr. MANSFIELD. Mr. President, may I note that the vote on the Dirksen amendment was unanimous?

SCHOOL LUNCH PROGRAM

Mr. JAVITS. Mr. President, on behalf of myself, the Senator from Massachusetts [Mr. BROOKE], the Senator from Pennsylvania [Mr. CLARK], and the Senator from Michigan [Mr. HART], I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. JAVITS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

At the end of the bill insert the following new section:

"AMENDMENTS TO THE NATIONAL SCHOOL LUNCH AND CHILD NUTRITION ACTS"

"SEC. 208. (a) The National School Lunch Act (42 U.S.C. 1752) is amended by adding at the end of the Act the following new section:

"TEMPORARY EMERGENCY ASSISTANCE TO PROVIDE NUTRITIOUS MEALS TO NEEDY CHILDREN IN SCHOOL AND IN OTHER GROUP ACTIVITIES OUTSIDE OF SCHOOL

"SEC. 14. (a) Notwithstanding any other provision of law, the Secretary of Agriculture is authorized to use during the fiscal years 1969, 1970, and 1971 not to exceed \$100,000,000 per annum in funds from section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), to formulate and carry out a program to improve the nutritional status of needy children in group situations away from home excluding situations where children are maintained in residence.

"(b) (1) Of the funds to be used for the purposes of subsection (a) for any fiscal year, the Secretary reserve 3 per centum for apportionment to Guam, Puerto Rico, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands. Guam, Puerto Rico, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands shall each be paid an amount which bears the same ratio to the total of such reserved funds

as the number of children aged three to seventeen, inclusive, in each bears to the total number of children of such ages in all of them.

"(2) From the remainder of the funds available for any fiscal year, the Secretary shall allot to each State on amount which bears the same ratio to such remaining funds as (1) the number of children in that State aged three to seventeen, inclusive, in families with incomes of less than \$3,000 per annum, and (2) the number of children in that State aged three to seventeen, inclusive, in families receiving an annual income in excess of \$3,000 per annum from payments under the program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, bears to the total number of such children in all the States. For the purposes of this section, the Secretary shall determine the number of children aged three to seventeen, inclusive, of families having an annual income of less than \$3,000 on the basis of the most recent satisfactory data available from the Department of Commerce. At any time such data for a State are available in the Department of Commerce, such data shall be used in making calculations under this section. The Secretary shall determine from data which shall be supplied by the Secretary of Health, Education, and Welfare the number of children of such ages from families receiving an annual income in excess of \$3,000 per annum from payments under the program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, on the basis of the latest calendar or fiscal year data, whichever is later. For the purposes of this paragraph, the term 'State' does not include Guam, Puerto Rico, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands.

"(c) State agencies, or the Secretary as appropriate, shall use the funds to provide meals to children whose parents or guardians do not have the financial ability to provide for the adequate nutrition of their children and to children determined by local officials as in need of improved nutrition. The funds may be used to finance such children's participation in an eligible nonprofit food service; to assist in financing the purchase of equipment needed to operate such programs, and not to exceed an amount equal to 2 per centum of the total funds used under subsection (a) in any fiscal year may be used in such fiscal year to defray part of the administrative costs of the Department of Agriculture and State agencies in carrying out this section.

"(d) The authority contained in this section is intended to supplement the authority and funds available for use under other sections of this Act and the Child Nutrition Act, as amended.

"(e) The Secretary of Agriculture shall issue regulations implementing the operation of this program including guidelines for the determination of the eligibility for children for free and reduced-price meals.

"(f) The withholding of funds for and disbursement to nonprofit private schools will be effected in accordance with section 10 of the National School Lunch Act, as amended, exclusive of the apportionment ratio and the matching provisions thereof.

"(g) The withholding of funds and disbursement to eligible service institutions will be effected in accordance with section 13(3) (d)."

"(b) (1) Section 9 of the National School Lunch Act (42 U.S.C. 1759) is amended by inserting after the second sentence a new sentence, 'Such determinations shall be made by local school authorities in accordance with a publicly announced policy and plan applied equitably to all families in the school attendance area on the basis of criteria which as a minimum shall include factors

for the level of family income, including welfare grants, the numbers in the family unit, and the number of children attending school.'

"(2) Section 9 of such Act is further amended by inserting after the former third sentence the following: 'Overt identification of such child or children in the lunchroom or classroom by means such as special tokens or tickets or by announced or published lists of names is expressly prohibited'.

"(3) Section 4(e) of the Child Nutrition Act of 1966 (42 U.S.C. 1773(e)) and section 13(f) of the National School Lunch Act as amended by Public Law 90-302, section 3, are amended by inserting in each of those sections, respectively, wording identical with the amendments to section 9 of the latter Act provided by the above sections 3 (a) and (b) of this Act.

"(c) (1) Section 3 of the National School Lunch Act (42 U.S.C. 1752) is amended by inserting at the end thereof: 'Appropriations to carry out the provisions of this Act and of the Child Nutrition Act of 1966 for any fiscal year are authorized to be made a year in advance of the beginning of the fiscal year in which the funds will become available for disbursement to the States.'

"(2) Section 7 of the National School Lunch Act (42 U.S.C. 1756) is amended by inserting immediately before the last sentence of the section the following: 'For the fiscal year beginning July 1, 1969, and each succeeding fiscal year, the Secretary's determination of what funds from sources within a State may be regarded as from sources within a State for purposes of matching shall be limited by the availability of State tax revenues for use for program purposes in the local school attendance units. For each of the first two such fiscal years, such State appropriated funds must equal at least 4 per centum of the matching requirements; for each year of the second two-year period, at least 6 per centum of the matching requirement; for each year of the third two-year period, at least 8 per centum of the matching requirement; and for each subsequent fiscal year, at least 10 per centum of matching requirements must be met from such State appropriated funds.'

"(3) Section 12(d) (5) of such Act is amended by striking the words 'preceding fiscal year' and inserting in lieu thereof the following: 'latest completed program year immediately prior to the fiscal year in which the Federal appropriation is requested'.

"(d) (1) Section 6 of the National School Lunch Act (42 U.S.C. 1755) is amended by inserting in the first sentence, after the comma following the phrase 'his administrative expenses', the following: 'including the operating expenses for the Child Nutrition Act of 1966 other than for section 3 of that Act'.

"(2) Section 6 of such Act is further amended by inserting in the first sentence after the comma following the phrase 'pursuant to section 11', the following: 'and less not to exceed 1 per centum of the funds appropriated for carrying out the programs under this Act and the provision of the Child Nutrition Act of 1966 other than section 3, hereby made available to the Secretary to supplement the nutritional benefits of these programs through grants to States and other means of nutritional training and education for workers, cooperators and participants in these programs in furtherance of the purposes expressed in section 2 of this Act and section 2 of the Child Nutrition Act of 1966'.

"(3) Section 12(c) of the National School Lunch Act (42 U.S.C. 1760) is amended by striking the period at the end of the subsection and inserting ', except as provided in section 6 of this Act'.

"(4) Section 11(a) of the Child Nutrition Act of 1966 (42 U.S.C. 1780) is amended by striking the period at the end of the subsection and inserting ', except as provided in section 6 of the National School Lunch Act'.

"(e) (1) Section 12(d) (1) of the National School Lunch Act (42 U.S.C. 1760) is amended by striking the word 'or' that precedes the term 'American Samoa' and by adding at the end of the sentence the following: 'or the Trust Territory of the Pacific Islands'.

"(2) Section 15(a) of the Child Nutrition Act of 1966 (42 U.S.C. 1784) is amended by striking the word 'or' that precedes the term 'American Samoa' and by adding at the end of the sentence the following: 'or the Trust Territory of the Pacific Islands'.

"(3) The sections of such National School Lunch Act and Child Nutrition Act of 1966, other than the sections amended by subsections (a) and (b) of this section and other than in the proviso in section 11(b) and in section 4 of the National School Lunch Act, are amended by inserting the phrase 'and the Trust Territory of the Pacific Islands' after the term 'American Samoa' wherever that term appears in such Acts."

Mr. JAVITS. Mr. President, the substance of the amendment I have submitted is contained in two bills which passed the other body—one to amend the National School Lunch Act to clarify responsibilities relating to the supply of school breakfasts and lunches which was passed on July 1, and the other, to add \$100 million a year for 3 years out of section 32 funds for the school breakfast and lunch programs, which was also passed on July 1. Both measures came to the Senate and were referred to the Committee on Agriculture, though in the other body they had been handled by the Committee on Education and Labor, which is the counterpart committee to our own.

Mr. President, I do not complain about that reference at all. The Senator from Oregon—and I fully sustain him in this—felt that for the duration of this session, our committee should adhere to the precedent which had been set by our chairman, the Senator from Alabama [Mr. HILL], with respect to this particular situation. In this regard, notwithstanding the rather specific terms of the Reorganization Act, which I believe—and I think most committee members believe—give this jurisdiction to the Committee on Labor and Public Welfare, these bills were allowed to be referred to the Committee on Agriculture, which has handled them. Though it is rather anomalous that the conference would be between the Committee on Agriculture on this side and the Committee on Labor and Education on the other side, nonetheless, I stand with my chairman in agreeing to that arrangement for this session. What we may do thereafter will depend, of course, on our new chairman and the disposition of the committee as newly organized.

In offering this amendment, I in no way base it upon the question of reference to a committee other than our own. I offer it because of the grave urgency of need with respect to the school lunch program and the fact that it represents an exact corollary to another action I initiated in the Senate, which related to the agriculture appropriations bill upon which the Senate acted affirmatively, and which is still in conference.

So, both of these steps—the one I suggest, with Senators HART, CLARK, and BROOKE, to the Senate today, and the other one, which the Senate has already taken—are of one piece. The general

effort, Mr. President, is to make section 32 funds available for the school lunch program, on the ground that it is a matter of the most critical urgency and that it is the type of program to which section 32 funds should be devoted, rather than their being sent back to the Treasury. Approximately \$225 million is supposed to go back to the Treasury out of section 32 funds for fiscal year 1968. So, our case is based upon urgency of need and the availability of funds, and that is the reason why I raise it today.

Furthermore, we all know that we are heading to adjournment. We all know that the time left in which anything like this can be done is quite short. I understand that this is the last of our education bills which will come before the Senate. I expressly—with the consent of my colleagues who are joining in this amendment—waited until this bill came up because it will be noted that it has sections dealing with various amendments to the elementary and secondary education bill. Hence, I felt that it was proper to add this matter as well, which went directly to a program in elementary and secondary schools.

Now as to the merits, which is a very important point: I have had placed on the desk of each Senator a single-page memorandum explaining the situation. It will be noted that there is a typographical error in the figures in the second line of the explanation, which should read \$100,000,000 for each of the fiscal years 1966, 1970, and 1971. In the second paragraph there is also an error, because of the haste in preparation; and the figure should be \$64,000,000, which is coming out of section 32 funds for the school lunch program according to the 1969 Agricultural Appropriations Act, which is now in conference.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JAVITS. I should like to finish my thought.

I have the deep feeling, Mr. President, that the Committee on Agriculture, as we know—I am told, anyhow; I do not know this as a fact, but I expect it—is going to start hearings on this matter within the next few days. We have no idea as to when anything like this can be reported. We have no idea whether, if reported, it can be considered. Inasmuch as it is tied directly into education, my colleagues and I felt that this was the time in which to raise it and to see if, as was done in the other body, something could be done about it now. In the House, it was done on motion of Representative PERKINS, the chairman of the Committee on Labor and Education.

I yield to the Senator from Florida. Mr. HOLLAND. Mr. President, I am glad that the Senator has called the attention of all Senators present to the fact that there is an error in the statement as to how much is allotted out of section 32 funds for the school lunch program in the pending appropriation bill for 1969. As I understand it, it is \$64 million instead of \$14 million.

Mr. JAVITS. That is correct. Mr. HOLLAND. I also ask the Senator if he has stated—and I have not heard him state—that in the same bill and, in fact, for some years in this bill, the Appropria-

tions Committee has allocated \$104 million out of section 32 funds for the special milk program for children, which goes to the same children and in connection with the same program and is administered by the same system as the school lunch program.

Mr. JAVITS. That is correct. I was coming to that in the course of my remarks.

Mr. HOLLAND. That would mean, of course, that \$168 million is already earmarked, without reference to some other special sums which I hope the Senator will mention, for this general type of program in the pending appropriation bill, to come out of section 32 funds for the schoolchildren of the Nation.

Mr. JAVITS. The Senator is entirely correct, in terms of his figures, Mr. President; but the Senator from New York is also correct in that what induced the Senate to act on the appropriations bill as it did, namely to untie the hands of the Secretary of Agriculture with respect to the section 32 funds, is the fact that if we do not act affirmatively in respect of some additional authorization, some \$225 million this year alone will go back to the Treasury because of unexpended section 32 funds.

I believe the burden of proof is on us, and I shall try to assume it without detaining the Senate unduly, to show that this is urgently needed in terms of hunger and serious malnutrition of children, which none of us, I should think, if we are cognizant of the situation, would like to allow. That burden of proof is on the proponents of the amendment, and I shall do my utmost to carry it in respect of this situation.

Mr. President, we first became appraised of this situation in the subcommittee which is so graciously headed by the Senator from Pennsylvania [Mr. CLARK], when we actually ran into situations of starvation, or what seemed to us to be starvation, and very serious malnutrition of children in many of our States. So the cry went around the country—later borne out by investigations of doctors and others—that there really was hunger in the United States, or what was the equivalent of hunger, much to the surprise of a great many people. This is a rather recent eye opener, so far as the people of our country are concerned. And how much more of an impact does this have, Mr. President, when it relates to children.

Mr. President, I call attention to two items of evidence upon this subject aside from the evidence of our own eyes and ears and the testimony heard in the Subcommittee on Employment, Manpower, and Poverty, which deals with the oversight of the antipoverty program in the United States. One is the report of the House committee upon which Representative PERKINS relied in carrying both of these bills, which are incorporated in my amendment, in the other body.

Representative PERKINS pointed out that school districts are now using a rather material amount of money they were allocated for the education of poor children in order to feed those children because there was apparently no other way to do it.

He pointed out that in 1968 the estimate for that type feeding was something like \$37,326,000. I am quoting from the report of the committee in the House at page 4. Then he pointed out that the committee itself had made a survey, and I quote the words he used on page 3 of their report, which is Report No. 1589 of this Congress, dated June 26, 1968.

Representative PERKINS said:

In connection with the subcommittee's investigation of need, a survey was conducted of needs State by State from school lunch program directors, the results of which appear in table 1 on page 6.

When we turn to table 1 on page 6, we find the following statement: "Free lunches, daily average, total children receive 1,890,876." The next column shows needy children not receiving free lunches: 4,674,491. The next column shows needy children in schools which have no facilities: 927,569. This amendment would cover that problem of lack of equipment.

Now, apparently the committee in the other body, as well as our committee, headed by the Senator from Pennsylvania [Mr. CLARK], heard testimony of a very interesting group of people, the Committee on School Lunch Participation, which had made its own survey and published a report entitled "Their Daily Bread," which I have here for Senators to see.

This organization consisted of the following sponsoring organizations: The Church Women United, the National Board of the YWCA, the National Council of Catholic Women, the National Council of Jewish Women, and the National Council of Negro Women.

They came up with the following conclusion which appears on page 13 of their report:

As noted in the introduction, the most cherished myth about the National School Lunch Program is that no child who really needs a lunch is allowed to go hungry. We say flatly this is not so.

The report then goes on to state that over 4 million needy children are not now receiving free or reduced price lunches.

Then, they have a chart which indicates the disparity between the number of children in the various States in families below the poverty level, or families receiving aid to dependent children, and the number of children in each State receiving free or reduced price lunches. Some of these statistics are absolutely fantastic. For example, in my State of New York the number of school-age children below the poverty level is 705,000. The number of children receiving free or reduced-price lunches is 350,000, leaving a difference of 355,000.

(At this point Mr. MCINTYRE assumed the chair.)

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. ELLENDER. Where did the figures come from to which the Senator has referred?

Mr. JAVITS. I have identified them by the group of organizations.

Mr. ELLENDER. Is the Senator aware of the number of children in the school

lunch program who were fed under the school lunch program?

Mr. JAVITS. I quoted from the figures of the House committee, which showed 1,890,876 children receiving free lunches.

Mr. ELLENDER. That is the number of children receiving free lunches.

Mr. JAVITS. That is correct; but as to the figures for children getting lunches and paying something for them, that, too, is contained in the report. I shall give those figures, or perhaps the Senator could do it faster than I can.

Mr. ELLENDER. I do not know where these ladies got their figures. The figures I have before me come from the Department of Agriculture and they are reliable.

Last year 19.6 million children were receiving lunches. The number of meals served was 3.33 billion. The total cost of the school lunch and breakfast program to the Government and the local people was \$1,914,700,000.

Mr. JAVITS. There is no argument about the figures. I wish to point out to the Senator that the report states that of 50 million public elementary and secondary schoolchildren, only about 18 million participated in the national school lunch program. That is one out of three children. That is pretty much in agreement. Of the 50 million schoolchildren, fewer than 2 million, which is under 4 percent, are able to get free or reduced price school lunches. That seems to me to be in accord with the figures cited in the House of Representatives.

The remaining figure is in complete agreement with Representative PERKINS' figures. This report claims 4.5 million needy children are not receiving free or reduced-price lunches.

That is the figure that Representative PERKINS cited. It is the figure which the committee cited.

So the argument is not that we are callous, inhuman, insensitive, and are not doing anything in this field. Surely we are doing a great deal in this field. But we have just learned that a great deal more needs to be done, especially in extremely necessitous cases.

I would be the last person in the world to say anything other than that the Senator's heart is as good as mine or as good as that of any other Senator, but our committee has heard evidence that some children, because of the lack of the few pennies which may be required to buy a lunch, will have to sit and watch other children eat their lunches, while those without money have none. That is the kind of heart-rending situation that other Senators and I feel it is our duty to try to meet, and that is why I have offered the amendment.

Mr. ELLENDER. Has the Senator from New York any idea of how the school lunch program is operated?

Mr. JAVITS. I think I do. Let me tell the Senator what I know about it, as I understand it.

The Federal Government gives both food and money, and the amount is on the average of \$35 a year for each child. The States and localities make their contributions monthly out of the charges which they collect for the school lunches. They make their individual contributions to the total program from what

they are able to collect from the children themselves who pay for their school lunches.

For the children who have the 20 to 35 cents to pay for their lunches, the program works well. The difficulty is that there is a tremendous vacuum in the program. The reason I speak of the figures is that, apparently, there is a vacuum to the extent that about 4,500,000 children who most need the program are not able to benefit from it. So the purpose of the amendment is to bring a great proportion of those children into the program. The amendment—and the Senator from Louisiana [Mr. ELLENDER] is much more aware of it than I am—not only would provide additional money—\$100 million a year—but would also provide for a mandatory State contribution, which ultimately will be 10 percent over a period of 5 years. The State contribution will start at 2 percent and will rise to 10 percent. That will also tend to increase the size of the program and to make more free meals possible as against the present plan by which there is a big inducement on the part of the State or locality to get a little something out of that child in order to meet the non-Federal contribution to the program.

Mr. ELLENDER. If the Senator would allow me—

Mr. JAVITS. Of course.

Mr. ELLENDER. Over 20 years ago, I fathered the school lunch program. The idea was to make it a cooperative effort between the Federal Government and those at the local level. As a result, the total amount of money now being spent for the school lunch program is \$1,914.7 million. Of that large amount, the total paid by the States and the local people by way of services, as well as the contributions made by the children—those who are able to do so—amounts to \$1,445 million.

As I stated this year, when efforts were made to provide for a free breakfast program, it was my view that if the breakfast program were not handled the same as the school lunch program, it probably would lose the services of a lot of people at the local level. If, as, and when the Federal Government, on its own, provides the money and manages the program on its own, I venture to say that the cooperation of the people at the local level will become nil within the next few years.

Now, the amount of money the Federal Government made available during 1968 for the school lunch program plus section 32 funds, as well as funds from section 416—that is the bulk food program—amounted to \$469.7 million.

Was the Senator aware of that?

Mr. JAVITS. Yes.

Mr. ELLENDER. As I said, that was from cash, section 416 and section 32. Now from other sources by appropriation, the special milk program is \$104 million. That is mostly from section 32.

The food stamp program amounts to \$245 million—that is authorization for it, as there is still pending in the House a bill to increase the present authorization by \$20 million to make it this \$245 million to which I have just referred.

Out of section 32 funds, in addition to the \$104 million to which I have just referred, there was appropriated or made available \$179,800,000 for food distribution programs.

So that if we add all the contributions made directly by the Department of Agriculture for all feeding programs, up to now, including all the funds provided under section 32 as well as section 416, the amount during this present year, with the authorizations now made, amount to \$1,050,000,000.

Mr. JAVITS. I have no doubt, and I do not challenge the Senator's figures at all—and I did not start out by challenging them, but I only point out that what we have not covered in this country—

Mr. ELLENDER. This is in the last few weeks.

Mr. JAVITS. I understand.

Mr. ELLENDER. Since Resurrection City was constructed—

Mr. JAVITS. I do not think so.

Mr. ELLENDER. I do not know that the Senator, or anyone else, has come before the proper committee making a case like that. I presume that a great deal of the evidence used in order to show starving people by the National Broadcasting Co., I guess, was obtained from such data as the Senator is now reading.

Mr. JAVITS. I am sorry that the Senator comes to any such conclusion as that, because it is not warranted. There have been a very long series of hearings in the last 9 weeks at least, many in the House, and also in the Senate. Some 16 sets of hearings have been held, involving over 100 witnesses. I fought this battle on the agricultural appropriations bill to the extent I could fight it—to wit, to try to untie the hands of the Secretary of Agriculture who claims he could not use section 32 funds, and the Senate went along on that. This is the second installment in that effort. This is not the first time—I have the evidence to support it—that we found lacunae in our understanding of these situations. The fact is, we have discovered enormous areas of poverty, hunger, or malnutrition which have not been covered by our legislation.

I point out, too, Mr. President, just by way of substantiation of the situation, that all the testimony which we have, as I say, in committee, which handles the poverty program, indicates a very real and very endemic condition of this character.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. JAVITS. In just a moment.

One other piece of evidence. We had the testimony of the American School Food Service Association, an association which is in close touch with this whole field. The figures of the association agree exactly with the figures I have used.

Mr. President, I ask unanimous consent that the whole letter, together with the table the association furnished to the Clark subcommittee, may be printed in the Record as a part of my remarks.

There being no objection, the letter and table were ordered to be printed in the Record, as follows:

AMERICAN SCHOOL FOOD SERVICE ASSOCIATION,

Denver, Colo., June 13, 1968.

Hon. JACOB K. JAVITS,
Room 236, Old Senate Office Building,
Washington, D.C.

DEAR SENATOR JAVITS: We are pleased to provide information requested from American School Food Service Association through the chairman of our State Directors' Section, Miss Josephine Martin. We are enclosing a regional breakdown of the following information:

1. Number of free or reduced price lunches served daily on a regional basis.

2. Number of needy children, ages 5-17 from homes with less than \$3,000 annual income who are not receiving free or reduced price lunch, on a regional basis.

3. Of these children, a computation of those attending schools with no food service, on a regional basis.

4. Number of schools in economically needy areas without food service, on a regional basis.

5. Number of economically needy children ages 5-17, who are not receiving free or reduced price breakfasts, calculated on a regional basis.

6. An estimate of the number of children from large families with incomes in excess of \$3,000 annually who would need free or reduced price meals, on a regional basis.

Costs have been calculated on the following basis:

Food: Breakfast, 15 cents per unit; lunch, 30 cents per unit.

Labor and other: Breakfast, 10 cents per unit; lunch, 25 cents per unit.

Administrative cost: 180 schools or less, \$15,000 per year (one professional employee, one clerical) over 180 schools, proportionate basis.

Nonfood assistance: Calculated on a basis of 10,000 dollars per school where no facilities currently exist.

Regional and national totals are included for your reference, as is a breakdown of states included in each of the regions. We regret we were unable to secure figures on short notice from our State Directors in California and Montana. Clearly these two omissions would make a substantial difference in the Western Region.

Frankly, Sir, it is difficult to know what to say in answer to the question of how much of this program could be effectively carried out in the 1968-69 school year. Clearly, 66 million dollars worth of equipment could not even be manufactured in time for the beginning of the new year, to say nothing of the proper selection of equipment, proper training of personnel and construction and modification of housing facilities. Perhaps the non-food assistance program might be thought of in terms of a three year development with amounts of assistance increasing each year as additional school districts completed proper preparation.

So far as food, labor and administrative costs are concerned, we most certainly do not want to leave the children of our nation hungry for another three years while we are developing permanent facilities. I know that our membership would make every human effort to develop emergency measures which would enable us to reach the hungry children in the nation during the 1968-69 school year. If funds are made available for this purpose, I shall ask our national president to call a meeting at once of leaders of our organization to work with U.S. Department of Agriculture officials. We have a dedicated membership of nearly 45,000 persons throughout the nation and 22 years experience in feeding hungry children.

We full well realize, Senator Javits, that full and complete funding of the food and labor costs of such a program reach astronomical proportions. As a matter of fact, one

is reminded of the passage from Isaiah, 42-4, "He shall not fail nor be discouraged, till he has set judgment in the earth." The task is one which invites, if not demands, discouragement. It should be remembered, however, that the figures we are quoting include full and total reimbursement and that there is at least some assistance given by most school districts. Examples would be physical facilities, usually utilities, and possibly even some personnel. Certainly local and state matching funds could be encouraged immediately and required over a period of time. I am sure we all realize the job cannot all be done at once. Furthermore, I believe it is imperative that the "reduced cost" provision of the School Lunch Act be encouraged, whenever possible. If parents make even a very modest contribution to the costs of school meals, they retain their sense of responsibility for their children as well as help to some degree to defray the costs.

If these funds are made available, Senator Javits, I pledge you the support of every member of our association in seeing to it that they are administered with integrity, with dispatch, with imagination and with determination to see that there are no longer hungry children in the United States of America.

I would make one last plea, Sir. Although we are all eager to attack the emergency situation on an emergency basis, I hope that from this awareness of the problem of hunger may develop long range, constructive plans and programs of sound nutrition and nutrition education for the youth of our nation. The health, vitality and spirit of our people cannot help but benefit as a result.

I wish to express the appreciation of American School Food Service Association to you, to Senator Clark and to the entire Senate Subcommittee on Employment, Manpower and Poverty for current hearings on problems of hunger across the land. We are honored to have been of assistance and urge that you advise us of any future occasion when we may be of help in any way.

Sincerely,

JOHN PERRYMAN.

STATE SUMMARY

Number of free or reduced price lunches (daily average)-----	1,890,876
Number of needy children, ages 5 to 17, from homes with less than \$3,000 annual income who are not receiving free or reduced price lunch-----	4,674,491
Of these, noted in No. 2 are in schools with no food service-----	927,569
Number of schools in economically needy areas without food service (food or equipment)-----	6,606
Number of economically needy children, ages 5 to 17, who are not receiving free or reduced price breakfast-----	2,820,868
Number of children from large families with incomes in excess of \$3,000 annually who would need free or reduced price meals (estimate)-----	782,992

Has attendance improved as result of expanded food service, lunch and breakfast? (Section 11 schools, Title I schools, etc.) Could you document answer by specific examples of increase in percentage attendance?-----

How much do you estimate it would cost to provide food service to the economically needy children, ages 5 to 17, in your state?

Equipment-----	66,130,000
Administration-----	1,496,500
Food-----	*370,867,518
Labor and other costs-----	*296,362,359

Total-----734,856,377

*See following table for breakdown.

Costs have been calculated on the following basis:

BREAKFAST	
Children not receiving free or reduced price breakfast.....	2,820,868
Days	× 180
Breakfasts served in 1 school year.....	507,756,240
Breakfasts	507,756,240
Cost of food per meal.....	× .15
Total food cost.....	\$76,163,436
Breakfasts	507,756,240
Labor and other costs per meal	× .10
Total labor and other costs	\$50,755,624
LUNCH	
Needy children.....	4,674,491
Children from large families.....	782,992
Total children needing free or reduced price meals	5,457,483
Children	5,457,483
Days	× 180
Total	982,346,940
Meals	982,346,940
Food cost per meal.....	× .30
Total food cost.....	\$294,704,082
Meals	982,346,940
Labor and other costs.....	× .25
Total labor and other costs	\$245,586,735

Mr. JAVITS. Mr. President, the association says that 4,674,491 is the number of needy children, ages 5 to 17, from homes with less than \$3,000 annual income who are not receiving free or reduced price lunches, 927,000 of those 4,674,491 are in schools with no food service.

One of the provisions of this amendment is to provide food service in those very schools.

I yield now to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, I am happy to support the amendment of the Senator from New York, as a cosponsor. I would like to point out to my colleagues that the initial steps which resulted in the shocking revelation that hundreds of thousands, and probably millions, of American children were suffering from hunger and malnutrition came in March of last year, when the late Senator Robert Kennedy, Senator MURPHY of California, Senator JAVITS, and I went to Mississippi and discovered that malnutrition was rampant in the Delta of Mississippi.

Thereafter, the subcommittee, which I have the honor to chair, and of which Senator JAVITS is a respected minority member, went all over the United States, establishing and documenting the existence of hunger and malnutrition among children, among the Eskimos of Alaska, among the poor in the region of Appalachia, among our Negro population in our great city slums, and, of course, throughout areas of the South.

Following up on that, the Senator from

South Dakota [Mr. McGOVERN], an honored member of the Agriculture and Forestry Committee of the Senate, introduced Senate Resolution 281 to establish an ad hoc committee to last only until early in the 91st Congress to do something effective about hunger among children and adults in the United States.

That resolution, which I think nearly 50 of our colleagues cosponsored, was referred to the Committee on Labor and Public Welfare and to the Subcommittee on Employment, Manpower, and Poverty, which I chair. We had hearings on that resolution on May 23, May 29, June 12, June 14, and June 21.

I want to pay my tribute to the Senator from Wisconsin [Mr. NELSON], who took the chair on a number of hearings when I was otherwise engaged. However, I attended enough meetings to establish to my own satisfaction that we have not really dealt with the problem of feeding hungry children in the United States of America.

During the course of those hearings 43 witnesses either testified or submitted statements.

I think I can say, without any possible qualification, that hunger stalks rampant among the children of the United States of America in low-income groups. Nobody can deny it. We have proven it in the extensive subcommittee hearings and field trips.

I appreciate the parliamentary situation that, under ordinary circumstances, a committee other than the Committee on Labor and Public Welfare would have jurisdiction over these two pieces of legislation recently passed by the House; but members of our subcommittee and of our full committee know that there is an urgent need to feed the hungry. It is for this reason that I am glad to see the Senator from New York make this effort to break the redtape which so often confronts this body in an effort to bring much-needed legislation to this floor in the form of an amendment to an education bill. It is the children of our schools who will be fed as a result of the amendment. This committee has jurisdiction not only over health and labor legislation, but also poverty and unemployment. I can think of no more appropriate place, the rules of the Senate being what they may be, to bring an amendment such as this than to an education bill.

I commend the Senator from New York for his leadership. I join him in support of the amendment.

Mr. JAVITS. Mr. President, let me say that my leadership would not have been conceivable were it not for the basic groundwork laid down by the subcommittee. We bled and died on the question of whether or not there is adequate power in the Department of Agriculture to use funds for the purpose for which they ought to be used. We thought we had scored when we took the bonds off the Agriculture Department to do that. That matter is locked up in conference.

That is why I characterized this as the next step, under section 32 funds, to provide \$100 million a year for 3 years.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. COOPER. I support the amend-

ment offered by the Senator from New York, but I would like to make a short preliminary statement.

I served for 7 years on the Committee on Agriculture and Forestry. I think it is fair to say that before general interest throughout the country was aroused over the plight of the poor, as dramatized recently by the march of the poor on Washington, the Committee on Agriculture and Forestry, under the leadership of the Senator from Louisiana [Mr. ELLENDER] and also the Senator from Florida [Mr. HOLLAND] and other Senators, had instituted a school lunch program, which has been in operation for many years.

Year after year, the school lunch program was presented on the floor of the Senate. Year after year, appropriations were increased for the school lunch program at the insistence of the Committee on Agriculture under the leadership of the chairman, Senator ELLENDER. It is only recently that its adequacy has been questioned. It is only recently, I must say with sadness, that many who are now aroused, have spoken up at all about the program. I do not refer to my colleagues.

Having served on that committee, I would say also that that committee made provision for the distribution of milk to schoolchildren, in addition to the school lunch program. Also, it adopted amendments in past years to provide some equipment and facilities for the preparation of school lunches, if States would help bear the cost.

I believe that 2 years ago, or perhaps it was 3 years ago, the Senator from Louisiana [Mr. ELLENDER] and the committee inaugurated a pilot breakfast program for our schoolchildren, with the purpose that it would be extended to provide breakfast to provide the energy and the interest for their schoolday and its work.

I mention these things to show that there has been a program for years, initiated by the Senate Committee on Agriculture, and supported by the Congress, and only recently throughout the country its importance has been generally recognized. It is good that interest has been aroused and I know that this Congress will respond.

There have been problems connected with the school lunch program. I am familiar with it because of its operation in Kentucky and particularly in the eastern part of my State, which as other sections of that hilly region has become widely known as Appalachia.

The program provides for modest sums to be paid by the parents of the schoolchildren. However, it developed that in poorer families, perhaps in a family that had from one to five or six children, even the payment of the small amount of 15 or 20 cents was beyond their capacity to pay.

Several years ago, the Senator from Michigan [Mr. HART], and I began to offer amendments to provide additional funds to help families with the least resources and often with the largest number of children—funds to pay their charges. We have had modest success.

But above all, if there is a child in this country who is hungry or undernour-

ished—and there are many—we must make money available to them for food. This is the simple reason for supporting the amendment of the Senator from New York [Mr. JAVITS], who has labored so long and with great heart in this field.

This program will require more than money. It will require money, but it will also require formulation of effective plans.

I have studied the school lunch program because of its importance to my State, and as I have said, our problem in eastern Kentucky. In Kentucky, and eastern Kentucky, with all floodlight that has been turned on it, we provide about 85 percent of the children with school lunches.

Kentucky ranks about seventh or eighth in the Nation in the adequacy of its school lunch program. The program is good in the rural section, but some of our cities have no school lunch programs. This is true also in Northern States and in some of the great cities. I would advise my friend from Pennsylvania, Senator CLARK to inquire into the situation in his own State and find out if the cities have school lunch programs.

In February of this year, the late Senator Robert Kennedy of New York came to Kentucky, and into eastern Kentucky to look into food problems. I met him but was not able to go with him because of a death in my family. I am glad that he came to eastern Kentucky as his visit aroused great interest there concerning all the problems of food and poverty. When he returned, he and Congressman PERKINS, of Kentucky, and I urged a food program to the Department of Agriculture.

Some schools, and I believe this is particularly true in some cities, including the North, do not have adequate facilities for preparing the food; or serving the food. The problem remains to be met by our large cities.

In my State, the women in the neighborhoods alternate in helping without cost, to prepare the food for the children. Such arrangements will have to be worked out in larger communities, or else to pay those who perform the service.

I do not mean to dampen the concern which has been aroused for this program. But it is only fair to say that for 20 years the program has been underway, under the leadership of the Senator from Louisiana, the Senator from Florida, and the Committee on Agriculture.

I believe food and school lunches ought to be made available for every child in this country. I support the amendment of the Senator from New York and commend him for his continuing efforts for the needy of our country. I would like, also, to pay tribute to my fellow Kentuckian, Congressman CARL PERKINS, for his outstanding work in the House.

Mr. JAVITS. Mr. President, I am very grateful to the Senator from Kentucky for his fine statement.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JAVITS. In a moment. Coming from the kind of State he does, which has very acute problems of this character, and with his knowledge and experience as a member of the Committee

on Agriculture, I feel personally that the view of the Senator from Kentucky is entitled to great weight with the Senate, and I am grateful to him for expressing it as effectively and frankly as he has.

I yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, I became a member of the Senate Committee on Agriculture and Forestry approximately 19 years ago, and found a system of school lunch programs already initiated and operating. The Senator from Louisiana [Mr. ELLENDER], and the Senator from Georgia [Mr. RUSSELL], who used to be active in that field and is not in the Chamber at the moment, had, as I understood it, been joint fathers, so to speak, of a program originated years before I became a member of the committee.

Since I joined the committee, the program has been increased frequently but never decreased; and that has been accomplished under the enthusiastic leadership of the Senator from Louisiana [Mr. ELLENDER]. As chairman, he cannot handle all the legislation that comes before the committee, and does not attempt to do so; but that is one subject over which he has enthusiastically continued to preside, as an individual Senator as well as chairman of the committee.

We have added, as Senators know, the so-called section 11, to provide special funds for the very group of needy children just mentioned by several Senators, particularly the able Senator from Kentucky—children who come from homes so poor that they cannot get nutritious lunches. We have added a section providing for a pilot program for breakfasts for children where they do not have a chance to get, in the homes from which they come, a nutritious breakfast. We have added a section giving financial help to permit the purchase of stoves, refrigerators, and equipment of all types that are needed in the poorer districts so they can proceed to install and participate in programs of this kind.

We have added only recently a day-care feature, which I need not discuss here, but I simply wish to make it very clear, and I think we owe this to the Senator from Louisiana as well as to the Senate, that he has diligently pursued the enlargement of this program from time to time in numerous very helpful ways, and always in such ways as will help the poor. This I know, and I have watched it for these past 18 or 19 years.

Mr. President, in the second place, we are talking about a question here which involves section 32 funds. As the Senator from New York has stated in his opening statement, those funds derive from 30 percent of the customs receipts, which are earmarked especially for agricultural use because of the fact that the tariffs are imposed mostly on the manufactured articles which farmers have to buy at a higher price because of the protection which is given to American manufacture and labor through the imposition of tariffs.

Mr. President, it happens that my State largely produces products in the field that have to rely to some extent on

section 32 funds: Fruit, vegetables, meats, and other perishable crops which are not price supported. As now worded, section 32 gives first priority to the purchase of surpluses that may develop from year to year in those perishable commodities. So almost since I came to the Senate, the Senator from Louisiana has allotted to me the task of handling section 32 matters.

Section 32 funds have been handled in this field very generously, if I may say so. In the first place, the surplus commodities which are purchased with section 32 funds very largely go to the school lunch programs. In other words, when they have to buy fruits, when they have to buy vegetables, when they have to buy meats which are in excess supply, which would otherwise destroy the value in the marketplace of those products, most of the purchases go to the school lunch programs. I think Senators know that, but this needs to be stated for the record.

In addition to that, we were asked, some years ago, to take over the special school milk program; and we have appropriated. I believe, for the last 3 years the sum of \$104 million a year, though I notice the total amount was not spent the last fiscal year, according to the figures supplied by the Department of Agriculture. Nearly \$100 million was spent last year; \$104 million is in the bill for this year.

We have stepped up our amount of direct appropriations from section 32 funds to the school lunch program. Originally it was a small amount. Then we increased it to \$45 million a year. This year, we are appropriating \$64 million in direct funds to the school lunch program out of section 32 funds.

We are not trying to be parsimonious. We are trying to be generous. But the fact is that anyone who takes this year as a typical year for section 32 funds, and who looks at the fact that \$226 million has been turned back to general revenue this year, is not getting a fair picture of the use of section 32 funds. If Senators will take time to look at the figures shown in the report of the Department of Agriculture covering the years 1958 through 1967 for the use and amount of section 32 funds, they will find that in many years, there was less than \$100 million returned to the Treasury after the original primary uses of section 32 funds were made, and that in 2 years there was less than the \$300 million which is required by law to be carried forward for the next year's operation of the program. The legislation requires that any amount above \$300 million each year be returned to the Treasury, to go to general revenue funds. In some years, as in the year just finished, there have been substantial amounts.

The Senator from New York was correct in stating the amount as \$220-odd million. However, I will ask that these facts also be considered for the Record at this time.

In 1958, when we began the year, there was less than \$300 million in carryover because of the expenditures in section 32 funds for their primary uses in the year before. There was \$299 million to carry forward that year.

In 1959, 1960, 1961, 1962, 1963, 1964, and 1965 there was \$300 million or more, carried forward although in some of those years there was very little more to return to general revenue funds.

In 1966, just 2 years ago, the requirements of section 32 were such the previous year that there was not any balance to turn over. And, to the contrary, there was only \$298 million to carry out the operations of the program that year.

Mr. President, this is a very burdensome compilation, and I do not like to ask that it all be printed in the RECORD. It is here for anyone to see. And I have stated facts, that in 1957 and in 1965, in each of those years, there was less than \$300 million left at the end of the year. So, there was nothing to turn over after the primary requirements for the use of the section 32 funds had been met.

If the Senators wish to look at those figures, they will find several other years in which there was substantially less than the amount that would be applied under the amendment, less than the \$100 million after primary section 32 funds were met.

I am going to turn over this compilation that was furnished to me by the Department of Agriculture to the Senators handling the bill, the Senator from Oregon and the Senator from New York. I want it perfectly clear for the RECORD that there have been a number of years when this requirement could not have been met because there was less than \$100 million to turn over or make available for general revenue purposes.

There is much more I can say about this, and if the Senator will indulge me for an additional moment, I would like to say that there is a very difficult question of jurisdiction involved here. I am not talking particularly about the consideration of the pending amendment. I am talking about the general result of the adoption of the pending bill.

Section 32 always has been an agricultural fund, always has been under the jurisdiction of the Agriculture and Forestry Committee, and always has been reviewed every year to see how much we could safely divert to good uses such as school lunch use and the special school milk use and the like. And, if I may be allowed to express my own opinion, it must always be left in that situation because otherwise the very uses for which section 32 is enacted may be defeated by seeking to put a large charge like \$100 million in advance against section 32 funds.

There is that problem of jurisdiction, because from year to year our Committee on Agriculture and Forestry reviews the fund. And the subcommittee which I happen to head, the Subcommittee on Appropriations which handles agriculture appropriations, does the same thing.

We have been very generous, if I may be allowed to say so, in our attitude toward these other very worthy causes, particularly school lunch and such causes. However, without that chance to review each year, there is no telling what will happen in this particular period, and I think it is exceedingly unwise to impose a charge of \$100 million a year without a chance to review and without

requiring additional appropriations, but simply allowing the Secretary of Agriculture to use that amount each year for this worthy purpose, to feed the poor people.

Mr. President, there is another difficult jurisdictional question if the pending bill is adopted and we put wording into the School Lunch Act. We will find a situation where the School Lunch Act will come partly from the Agricultural and Forestry Committee and partly from the Committee on Labor and Public Welfare.

Who has jurisdiction? Where does the jurisdiction lie? Who can put the picture together if we have such a situation?

I hope that the other Senators will realize that these important questions of continuing jurisdiction are involved in this picture. And it is for that reason that I feel so strongly about it.

One other point, if my distinguished friend would yield. I know perfectly well what his amendment did in the agricultural appropriations bill. I am trying to work it out. I know perfectly well what the passage of these acts in the House last week means. And so does my counterpart, who is the chairman of the conferees from the House on the agricultural appropriations bill. We are trying to work out something that will be acceptable.

May I say also that the distinguished Senator from Louisiana [Mr. ELLENDER], the chairman of the committee to which these two bills have been assigned, states that the bills will come up for consideration Wednesday, the day after tomorrow, which will be the first meeting of the committee after the matters were referred to it.

A hopeless hodgepodge results if we get this kind of on-the-floor handling of an important matter of this kind, which ties up the jurisdiction in every conceivable way.

I hope that my distinguished friend will allow some opportunity, both in the Agriculture and Forestry Committee, which begins consideration the day after tomorrow, and in the agricultural appropriations conference committee which is underway now and which has settled, with one minor exception, everything else in the bill but this subject. It is working on the matter very, very hard and trying its best to work out a solution.

I see on the floor of the Chamber one or two Members on the other side of the aisle who are serving on that conference. I think they know as well as I that the statements I have made are correct.

The distinguished Senator from Louisiana is present, and he has already advised, as I understand it, the Senator from Oregon and the Senator from New York that he will take up this matter Wednesday in the Agriculture and Forestry legislative committee.

It seems to me, if we are to have orderly processes and if we are going to know how to deal with this question in such a way as to preserve jurisdictional regularity of any kind in this very important field, that we should allow time for these two committees which are working on the matter to try to work it out.

I thank the distinguished Senator for his very patient yielding.

Mr. JAVITS. Mr. President, I would like to answer very briefly the Senator from Florida.

In the first place, the text of the amendment provides that "not to exceed \$100 million" a year should be made available for section 32 funds. That means that if there is less than \$100 million a year, the allocations will be reduced.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HOLLAND. Does the Senator mean that the Secretary has to wait until the end of the year before he will know that—as he would have had to do in several years?

Mr. JAVITS. Mr. President, I would assume that the Secretary could make an estimate in the course of the year. This refers to the use of section 32 funds, and he may have to wait until the end of the year. He has to comply with the statute if we pass the bill.

Mr. HOLLAND. Mr. President, I do not believe that is the kind of regular, dependable, stable program that the Senator from New York wants to set up in this very vital field.

Mr. JAVITS. I believe it is. I have great confidence in the availability of these funds. They have risen from \$521 million in 1958 to \$794 million in 1967. In my judgment, I can very nicely rely upon that situation. In any case, the legislation does provide for that contingency.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JAVITS. May I finish?

The second point I should like to make in reply is this: There is a very interesting jurisdictional situation here. The two bills which have been passed in the other body now rest in the Committee on Agriculture and Forestry. If this amendment is adopted by the Senate, it will go to conference, and the other body will not be in the position in which we have locked in this particular amendment, because it is not a House-passed bill upon which we are putting this amendment. This is a Senate bill. Hence, this particular measure, if we do adopt the amendment, will go to a completely open conference. Therefore, any adjustment can be made by the conferees—of any kind or character—depending on what results from whatever is done by the appropriations process and in the conference on that bill.

The reason why I am offering this amendment and pressing it is precisely that we are at the end of the session and that we need this kind of opportunity if we really are going to work out the matter. Otherwise, we are locked into the appropriations conference with whatever limitations there are in the Senate and the House bill, which may not be limitations of money, with which we can deal, and we have no opportunity except this one in order to free our hands to give an adequate sum of money this year to the school lunch program.

Knowing Senator MORSE as I do, I do not even have to ask him—I know that he will be in the closest consultation with the Committee on Agriculture and Forestry and with its chairman in connection with whatever takes place in the

conference. But it is a way of getting the matter before the House and the Senate, with complete flexibility, because it even could be dropped in conference, if Senator MORSE, as our leader, felt that it should be. I will say that right now, myself—even if it carries. But by carrying it, we give ourselves an opportunity to work out the situation in a legislative way, as a counterpart to whatever might happen in the Appropriations Committee. It is because I realize how close we are to the end of the session, and because I know how necessitous the situation is, that I cause this amendment to be offered. There is no question about the fact that it stands up substantively this year, because it is admitted that approximately \$225 million was turned back to the Treasury.

I yield to the Senator from Florida.

Mr. HOLLAND. In the first place, that money has already been turned back, and there will not be any such amount—if there is any amount—available for a year now. We are now operating in fiscal 1969.

In the second place, this tabulation shows—let me read these figures—for 1958, only \$83 million was returned to the Treasury; for 1959, \$72 million was returned to the Treasury; for 1969, \$91

million was returned to the Treasury; for 1961, \$7 million was returned to the Treasury. More than \$100 million was returned to the Treasury for 1962 and 1963. However, coming to 1964, \$3 million was returned to the Treasury. For 1965, \$8,000 was returned to the Treasury.

In recent years, in 1966, \$208 million was returned; in 1967, \$181 million. In the year passed, \$226 million was returned.

But I invite the Senator's attention—if he will read the list I have made available to him—to the fact that it appears that whenever any of the big perishable crops are in trouble, nothing is left to turn over, or very small amounts are left to turn over, to the Treasury.

For instance, in the field of butter, in 1961, \$115 million-plus of that product had to be purchased to save dairy farmers. In the field of beef, in 1954, \$83 million of that product had to be purchased; in 1964, \$69 million; and in 1965, \$156 million.

In the field of pork, \$95 million of surplus pork was purchased in the year 1956.

In any year when those large purchases are made to help large industries producing perishable crops to get over

the hill, to take those surpluses off the market, there will not be any substantial fund left in section 32.

The Senator is well disposed toward agricultural producers, and nobody knows that better than I. He knows perfectly well that he cannot tell and the Secretary cannot tell, and no one in this Chamber can tell, when these heavy surpluses are going to arise, because they arise unexpectedly.

Mr. JAVITS. What the Senator has omitted to say—

Mr. HOLLAND. And the effect of GATT, likewise, will reduce our tariff returns effective July 1, just 2 weeks ago, and nobody knows how greatly they will be reduced.

I believe this is a most unfortunate time to suggest such an additional drain upon section 32 funds for a cause not directly related to the protection of the producers of perishable agricultural commodities.

Mr. President. I ask unanimous consent that the tabulation I have referred to in citing these figures be printed in the RECORD at this point.

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

REMOVAL OF SURPLUS AGRICULTURAL COMMODITIES, FISCAL YEARS 1958-67

	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	Preliminary, 1968
FUNDS AVAILABLE											
Carryover	\$299,940,687	\$300,000,000	\$300,000,000	\$300,000,000	\$300,000,000	\$300,000,000	\$300,000,000	\$300,000,000	\$298,758,226	\$300,000,000	\$300,000,000
Recovery of prior year obligations		500,886	666,160	802,033	1,457,908	1,128,424	451,225	49,596	28,529	157,060	317,305
30 percent of customs receipts	220,878,158	235,936,663	251,446,364	319,960,724	325,826,751	318,068,537	369,391,556	378,907,331	405,549,361	493,935,754	578,911,603
Total available	520,818,845	536,437,549	552,112,524	620,762,757	627,284,659	619,196,961	669,842,781	678,956,927	704,336,116	794,092,814	879,228,908
Less transfers to Interior (15 U.S.C. 713-c as amended)	4,651,151	4,786,415	4,993,642	5,321,081	4,757,143	5,071,342	5,373,096	5,297,951	6,610,569	6,778,506	7,443,592
Total available to USDA	516,167,694	531,651,134	547,118,882	615,441,676	622,527,516	614,125,619	664,469,685	673,658,976	697,725,547	787,314,308	871,785,316
OBLIGATIONS											
Commodity program payments:											
Cotton					24,000	9,615					
Dairy products	121,654,680	101,130,189	51,234,409	116,303,574	853,625		85,000,000	25,000,000	39,550,000		9,131,064
Eggs and poultry	101,051	6,361,847	24,081,405	37,597,468	31,199,507	24,354,147	27,012,132	5,178,235	9,850,244	4,346,876	44,111,133
Fruits	1,128,684	115,837	7,804,428	1,070,098	1,531,370	3,729,726	3,056,022	4,259,537	10,874,821	37,964,401	10,033,533
Grain			10,862,421	3,057,880	7,816,011	111,990	4,744,789	2,266,380		5,284,515	3,908,869
Livestock products			8,017,077	78,156,722	82,031,993	58,929,440	122,970,260	175,974,126	40,617,533	119,733,256	67,393,606
Peanuts and products	868,402	1,082,286	2,258,380	12,574,492	7,633,866	3,000,881	12,373,212	12,585,620	11,967,360	6,369,083	10,968,623
Tobacco					1,532,468	2,995,579	2,047,844	447,033		-5,294	
Tree nuts		330,194							1,090,234	37	
Vegetables	2,422,215	7,582,298	188,467	3,157,931	10,572,230	2,733,806	2,313,490	1,418,894	2,488,607	8,140	13,238,272
Miscellaneous	-101,220	11,565	272,751	840,084	-30,908	187,996	-13,380	-22,359	413,840	536,955	12,442,124
Subtotal	126,073,812	116,614,216	104,719,338	252,758,249	143,164,162	96,053,180	259,504,369	227,107,466	116,852,639	174,237,969	171,227,224
Food stamp program				906,213	14,069,967	20,439,770	30,505,716			-86,420	
Surplus removal operating expenses	2,108,642	2,169,970	2,168,719	2,324,205	2,822,382	2,832,417	3,082,082	3,271,326	3,070,358	3,394,766	
Marketing agreements and orders	1,340,186	1,418,232	1,451,417	1,630,681	2,263,591	1,892,273	1,988,854	2,140,144	2,185,616	2,183,513	6,500,000
Foreign market promotion	1,879,353	2,165,269	()								
Import control	226,823	240,584	()								
Total obligations	131,628,816	122,608,271	108,339,474	257,619,348	162,320,102	121,217,640	295,081,021	232,518,936	122,108,613	179,729,828	177,727,224
TRANSFERS											
(1) Foreign Agricultural Service (pursuant to USDA appropriation acts)			2,493,000	2,817,000	3,117,000	3,117,000	3,117,000	3,117,000	3,117,000	3,117,000	3,117,000
(2) School lunch (pursuant to USDA appropriation acts)		35,000,000	43,657,248	45,000,000	45,000,000	45,000,000	45,000,000	45,000,000	45,000,000	45,000,000	45,000,000
(3) Food stamp program (pursuant to 1965 USDA Appropriation Act)								30,650,000			

See footnote at end of table.

REMOVAL OF SURPLUS AGRICULTURAL COMMODITIES, FISCAL YEARS 1958-67—Continued

	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	Preliminary, 1968
TRANSFERS—Con.											
(4) Special milk program (pursuant to 1965 USDA Appropriation Act).....								\$51,500,000		\$53,000,000	\$104,000,000
(5) Commodity Credit Corporation—ARS and CSRS (pursuant to 1964 USDA Appropriation Act).....							\$16,000,000	12,080,554	\$18,500,000	25,000,000	15,000,000
(6) Comparative transfer to Office of Inspector General.....	\$452,245	\$539,649	\$604,800	\$653,312	\$978,376	\$1,225,000	1,369,957				
(7) Miscellaneous transfers.....					285,000	21,400	94,648				
Total used by USDA.....	132,081,061	158,147,920	155,094,522	306,089,660	211,700,478	170,581,040	360,662,626	374,866,490	188,725,613	305,846,828	344,844,224
Balance.....	384,086,633	373,503,214	392,024,360	309,352,016	410,827,038	443,544,579	303,807,059	298,792,486	508,999,934	481,467,480	526,941,092
Returned to Treasury.....	83,585,747	72,837,054	91,222,327	7,894,108	109,698,614	143,093,354	3,757,463	8,575	208,682,970	181,467,480	226,941,092

¹ Beginning in 1960 transfers to FAS were by legislative action.

Mr. JAVITS. Mr. President, what the Senator has omitted to state is that the unused balance carried forward—and it is exactly the same table that the Senator has been reading from—is a consistent \$300 million. So an adequate reserve is constantly maintained by the Agriculture Department to take care of contingencies of commodity programs in perishable products.

And as I have pointed out very clearly, if there is no money, then there is no money on the school lunch aspect.

I find it difficult to see how the Senator can argue at one and the same time that he is going to try to provide in the appropriations bill more money out of section 32 funds for school lunches, and that there is grave danger of imperiling the section 32 funds.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JAVITS. Not yet.

Mr. HOLLAND. The Senator has not been fair.

Mr. JAVITS. The Senator has spoken more than I have.

Mr. HOLLAND. The Senator has not stated fairly what appears on this list.

Mr. JAVITS. Mr. President, I do not yield.

The PRESIDING OFFICER. Does the Senator yield?

Mr. JAVITS. I do not yield.

Mr. HOLLAND. Mr. President, the Senator can be fair.

Mr. JAVITS. Mr. President, I have been more than fair in standing here for 30 minutes and allowing the Senator to make a long speech and not objecting for a minute. I am most respectful of the Senator from Florida, but I cannot allow the Senator to turn me off and on, so I do not yield.

Mr. President, the situation seems to me to be very clear. There is a carryover of \$300 million to take care of these perishable commodities. That is contained in precisely the same table from which the Senator was reading to us, quite properly, the record with respect to section 32 funds.

Mr. HOLLAND. Will the Senator yield at this point.

Mr. JAVITS. Not yet.

In addition, Mr. President, I have pointed out very clearly that this amendment takes account of whether or not there are funds, because it says "not to exceed."

There has been more than adequate money in the last 3 fiscal years, and that is all I am saying now. If there is not, then the amendment takes account of it, and the Secretary of Agriculture will be able to do less than \$100 million or perhaps nothing at all on the amendment.

I yield.

Mr. HOLLAND. Mr. President, I invite attention to the fact that the Senator from New York has overlooked the fact that in 1958 there was less than \$300 million carried forward from 1957 and that in 1966 there was less than \$300 million carried forward from 1965. Those figures appear on the very list at which the Senator is looking. In 1958 there was \$299 million carried forward from 1957, and in 1966, which is one of the last 3 years, there was \$298 million to be carried forward from 1965.

So the Senator has not read very fully the figures from which he was quoting a moment ago.

Mr. JAVITS. I beg the Senator's pardon, but as to the \$299 million, I will rely on the reasonableness of the Senate to assume it to be so close to \$300 million that I am not misrepresenting. I am reading from page 19367 of the RECORD, a table submitted in the other body by Representative PERKINS, which shows \$300 million for 1966.

I submit respectfully that the very minor sums, whether the Senator is right or wrong, are immaterial. The fact is that \$300 million has been carried over, in substance, from 1958 through the last 10 years.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. YOUNG of North Dakota. Mr. President, I support the objective of the Senator from New York to provide more money for the school lunch program. As a farm producer myself, no one would

like more than I to get rid of the farm surpluses.

I would be glad to support the Senator's proposal if he would amend it to take the money from the general fund. This would be a sure source for the program and it would be much easier for most of us to support. Section 32 funds should be reserved to support the prices of perishable farm commodities.

Mr. JAVITS. Mr. President, there is no one in the Chamber I respect more than the Senator from North Dakota.

My difficulty is that this is a sequel to the way in which we untied the hands of the Secretary of Agriculture by the amendment adopted by the Senate in respect to the appropriation bill. If there is a sequel it must seek its source in the same funds. I am buttressed by the fact that the other body passed by a large vote the very approach I am advocating.

I find it difficult to accede to the Senator's suggestion.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MILLER. Mr. President, I wish to ask the distinguished Senator about the wording of his amendment. For the purpose of following me, I wonder if I could ask the Senator to refer to page 6 of the House-passed bill which he has encompassed in his amendment. On page 6, section (c) states:

State agencies, or the Secretary as appropriate, shall use the funds to provide meals to children whose parents or guardians do not have the financial ability to provide for the adequate nutrition of their children * * *.

With respect to that portion of the provision I assume it is intended, as a matter of legislative history, that these funds will be used to provide meals only to such children, and that it is intended that the funds be used to provide meals only for such children and no other children.

Mr. JAVITS. I do not say that this particular provision is exclusive. For example, if the children who can pay nothing, who do not have any financial

inability, do not absorb the funds available, that is not the end of it because the section continues:

The funds may be used to finance such children's participation in an eligible non-profit food service; to assist in financing the purchase of equipment needed to operate such programs, and not to exceed an amount equal to two per centum of the total funds used under subsection (a) in any fiscal year may be used in such fiscal year to defray part of the administrative costs of the Department of Agriculture and State agencies in carrying out this section.

I could not say it is absolutely exclusive. That is the portion the Senator read.

Mr. MILLER. Mr. President, may I suggest to the Senator that the portion he read on page 7:

The funds may be used to finance such children's participation in an eligible non-profit food service—

That refers to the category of children I referred to earlier.

I wonder if we should not make clear, as a matter of legislative intent, these funds will be used for children who need them.

Mr. JAVITS. The neediest children.

Mr. MILLER. Not only the neediest children, but those who need the nutrition, too.

Mr. JAVITS. The Senator is correct. I agree with that statement.

Mr. MILLER. Very well.

The next thing I wish to clarify is this. The same provision refers to children whose parents or guardians "do not have the financial ability to provide for the adequate nutrition of their children." I assume we mean those who do not have financial ability, and also those in need of improved nutrition, because I am sure we can all visualize the situation where the parents or guardians may not have the financial ability, but there may be an aunt, an uncle, a brother or a sister who is providing sound nutritional meals for the children.

Mr. JAVITS. The Senator is exactly right.

Mr. MILLER. I have a further question. There is an alternative usage of these funds to children determined by local officials as in need of improved nutrition. I assume, as a matter of legislative history, that we are discussing children determined by local officials to be in need of nutrition or whose parents and guardians do not have the financial ability.

Mr. JAVITS. Yes.

Mr. MILLER. I am sure the Senator is aware that there are people suffering from malnutrition who come from very affluent families.

Mr. JAVITS. The Senator is correct.

Mr. MILLER. I thought we should have cleared up the legislative intent rather than to offer a further amendment. I thank the Senator.

Mr. JAVITS. I am grateful to the Senator for his help.

Mr. MORSE. Mr. President, I would like to make a suggestion with respect to the bill. I think if we get the Senator from Florida [Mr. HOLLAND], the Senator from Louisiana [Mr. ELLENDER], the Senator from Michigan [Mr. HART], the Senator from New York [Mr. JAVITS],

and the Senator from Pennsylvania [Mr. CLARK], out in the anteroom for a conference among themselves, they might be able to help us progress with the bill by coming back with an understanding or a clarification of their differences. I would like to suggest the absence of a quorum and make the plea, as manager of the bill, that Senators HOLLAND, ELLENDER, JAVITS, CLARK, and HART favor the manager of the bill by a conference among themselves, and I wish they would take with them the appropriate staff members to see if they cannot clarify any differences they may have.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JAVITS. Before the Senator suggests the absence of a quorum, the Senator from Kentucky [Mr. COOPER] asked me if he might be a cosponsor.

I ask unanimous consent that the Senator from Kentucky [Mr. COOPER] be listed as a cosponsor.

The PRESIDING OFFICER (Mr. PEARSON in the chair). Without objection, it is so ordered.

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unobjected-to items on the calendar, which have been cleared on the other side, be considered beginning with Calendar No. 1368.

The PRESIDING OFFICER. Without objection, it is so ordered.

NURSING HOME CARE FOR CERTAIN VETERANS

The bill (H.R. 7481) to amend sec. 620, title 38, United States Code, to authorize payment of a higher proportion of hospital costs in establishing amounts payable for nursing home care of certain veterans was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1390), explaining the purposes of the bill.

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

BACKGROUND OF THE LEGISLATION

The U.S. Veterans Advisory Commission in its recent report made the following recommendation with respect to this proposal:

RECOMMENDATION NO. 61

The Commission recommends that the Veterans' Administration be authorized to increase the reimbursement rate to community nursing homes from one-third to 45 percent of the VA general hospital per diem rate.

Background to recommendation

During fiscal year 1967, the Veterans' Administration reimbursed community nursing homes at an average per diem rate of \$10.45 for care provided to its veteran beneficiaries. This amount was less than the average per diem rate paid to community nursing homes by the social security medicare program. It is estimated that social security paid approximately \$14.60. The amount paid by the Veterans' Administration was also considerably less than the average payment for such care from private funds.

The problem of placing veterans in community nursing homes in high cost areas has become acute because of the present limit on VA reimbursement. Therefore, the Commission recommends that the Veterans' Administration be authorized to pay community nursing homes up to 45 percent of the general hospital per diem rate, as proposed in H.R. 7481, before the 90th Congress.

EXPLANATION OF THE BILL

Section 620 of the title 38, which was section 2 of Public Law 88-450, authorizes the Administrator of Veterans' Affairs to transfer any veteran patient in a Veterans' Administration hospital that has received maximum hospital benefits, and who requires protracted nursing home care, to a community nursing home at Government expense. The period of such care for which the Veterans' Administration may pay cannot generally exceed 6 months, and the cost of this nursing care may not exceed one-third of the cost in a Veterans' Administration general-medical hospital. This means that the present cost on a per diem basis may not exceed \$12 at the present time.

With the rising cost of nursing home care, the Veterans' Administration has found it increasingly difficult—with the constraint of the present statutory maximum—to make and retain nursing home contracts and to place patients in community nursing homes. If the limit is not relaxed, nursing homes will discontinue taking veterans, in favor of other patients who will pay at higher rates.

H.R. 7481 amends section 620 of title 38 to increase the maximum amount which the Veterans' Administration can pay to community nursing homes for veterans who have exhausted their hospital benefits and need extended care.

The increase—from one-third to 40 percent of the cost of Veterans' Administration hospital care—would enable the Veterans' Administration to compete better for the limited available spaces in community nursing homes.

The Veterans' Administration estimates that the additional cost to the Government for the first year will be \$3,551,000.

Hearings on the bill were held before the Subcommittee on Veterans' Affairs on July 1, 1968.

PART-TIME VOCATIONAL REHABILITATION

The bill (H.R. 14954) to amend title 38 of the United States Code to improve vocational rehabilitation training for service-connected veterans by authorizing pursuit of such training on a part-time basis was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1391), explaining the purposes of the bill.

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

BACKGROUND OF THE LEGISLATION

On January 30, 1968, the President submitted a message to the Congress entitled "Our Pride and Our Strength: America's Servicemen and Veterans." In part the President said:

Second, I propose that the benefits of Vocational Rehabilitation be extended to service-disabled veterans being trained on a part-time as well as full-time basis.

Presently, a disabled veteran can take Vocational Rehabilitation and receive a training allowance only if he trains full-time. This restriction may present him with a hard choice: either leave his job for training, or forego the training itself.

Clearly, that choice is unfair.

The disabled veteran should be able to keep his job while he prepares for a better one through vocational training, drawing the allowance it provides.

The U.S. Veterans Advisory Commission in its report made the following recommendations with respect to this proposal:

RECOMMENDATION NO. 27

The Commission recommends that veterans with service-connected disabilities be allowed to pursue vocational rehabilitation on a part-time basis.

Background to recommendation

The vocational rehabilitation program (ch. 31, title 38, United States Code) provides training for veterans of World War II and later service who have been handicapped by service. The program intends to help restore the employability of these veterans to an extent consistent with their degrees of disability. The law provides that training must be pursued on a full-time basis.

Experience has shown that some disabled veterans have family responsibilities which preclude them from participating in vocational rehabilitation training on a full-time basis. The option of part-time training would allow many of these men to learn a skill.

Other veterans, while able to perform some type of gainful employment despite their disabilities, would like to participate in such training on a part-time basis, in order to improve their employment status. Except for their disabilities, these men would most likely have been able to attain more lucrative jobs and thereby achieve higher standards of living. Thus, they should be permitted to take vocational rehabilitation on a part-time basis while they are employed so that they can achieve the positions and income they might have attained but for their service-connected disabilities.

The President has recognized the problems and has proposed its solution in his message to the Congress of January 30, 1968. He stated therein:

"Presently, a disabled veteran can take Vocational Rehabilitation and receive a training allowance only if he trains full-time. This restriction may present him with a hard choice: either leave his job for training, or forego the training itself.

"Clearly, that choice is unfair.

"The disabled veteran should be able to keep his job while he prepares for a better one through vocational training, drawing the allowance it provides."

This statement clearly and concisely expresses the views of this Commission.

Therefore, the Commission recommends providing service-connected disabled veterans with the opportunity to take vocational rehabilitation training on half-time and three-quarter-time basis. Pro-rata subsistence allowance rates would be paid the veteran, and no subsistence allowance would be paid for less than half-time training. Part-time training would be limited to institutional training, unless the Administrator determined that it would be in the veteran's best interest to pursue on-the-job training on a part-time basis.

EXPLANATION OF THE BILL

H.R. 14954 would expand the vocational rehabilitation program for veterans to permit training on a part-time as well as full-time basis, with subsistence payments for part-time training proportionately reduced from the full-time level.

Public Law 16 of the 78th Congress was enacted to provide vocational rehabilitation to returning veterans of World War II who had service-connected disabilities and who were in need of such training in order to restore their employability. It was the forerunner of Public Law 346 of the 78th Congress, the World War II GI bill of rights.

The concept embodied in Public Law 16 has now been made permanent, for veterans 30 percent or more disabled, and is found as chapter 31 of title 38, United States Code. As presently constituted, this program involves the payment of subsistence allowance (based on the number of dependents) as well as tuition, fees, books, supplies, and equipment during the period in which the training is involved. Generally, the training may be afforded during the 9-year period immediately following the veteran's discharge or release from service. It should be emphasized that this is a liberal program, and one which

has worked extremely well, and applies to all service-connected disabled veterans who served after the beginning of World War II. Any amount of training which is necessary to assure a veteran's full training and employability may be authorized. In addition, a service-connected, seriously disabled veteran may receive additional training if it is found that he had not been previously rehabilitated (rendered employable) as a result of training furnished under this program, or because of the worsening of his service-connected disability since he was declared rehabilitated to the extent that it precludes his performing the duties of the occupation for which he was previously trained.

The program described has been limited to a veteran taking rehabilitation training on a full-time basis. The purpose of this bill is to authorize the furnishing of vocational rehabilitation on a part-time basis. The existing law has worked so well that it is apparent that the subject of this bill is a logical extension and will be in the best interest of not only the veteran but the Government as well.

The subsistence allowances authorized are indicated in the table which follows (new rates are those shown for three-quarters and one-half time training):

Type of training	No dependents	1 dependent	2 or more dependents
Institutional:			
Full time.....	\$110	\$150	\$175
Three-quarters time.....	80	110	130
Half-time.....	55	75	85
Institutional on farm, apprentice or other on-job training: Full time.....	95	125	150

Hearings were held on this bill by the Subcommittee on Veterans' Affairs on July 1, 1968.

The Veterans' Administration estimates that the first-year cost of the bill will be approximately \$5,300,000.

CARE AND TREATMENT OF VETERANS IN STATE HOMES

The bill (H.R. 16902) to amend title 38 of the United States Code in order to promote the care and treatment of veterans in State veterans' homes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1392), explaining the purposes of the bill.

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

EXPLANATION OF THE BILL

Public Law 88-450 introduced the nursing home care concept into the activities of the Department of Medicine and Surgery of the Veterans' Administration. That law authorized the operation by the Veterans' Administration of 4,000 nursing home beds to be operated by the Veterans' Administration directly and also made provision that where a veteran was in a Veterans' Administration hospital and no longer needs hospital care, he could be placed in a community nursing home at the expense of the Veterans' Administration for a period not to exceed 6 months unless extended by the Administrator. The law also provided for a nursing home rate of \$3.50 a day for veterans who are receiving care in one of the several State homes operated throughout the United States. Previously, domiciliary care had been paid for by the Federal Government at the rate of \$2.50 a day and this rate remained unchanged.

The public law also provided for a 5-year program of grants to the States to aid them in the construction of new nursing home facilities. There has been steady progress under this provision.

Section 1 of H.R. 16902 would increase the payments by the Federal Government to the State homes for domiciliary and hospital care from \$2.50 to \$3.50, and for nursing care from \$3.50 to \$5. The increase for domiciliary and hospital care represents the first adjustment in the rate since 1960 and responds to the increase in costs over the last 8 years. The increase also is designed to respond to the decline in the extent of Federal participation in the reimbursement to State homes, which has fallen from 37.45 percent in 1959 to 28.16 percent in 1967 and an estimated 27 percent in 1968.

Section 2 extends, for an additional 5 years, the program of matching grants (\$5 million each year) to the States to encourage and assist them in the construction of State nursing home facilities for war veterans.

In summary the bill as reported—

(1) increases the domiciliary and hospital rate to State homes to \$3.50 from \$2.50;

(2) increases the nursing home rate to \$5 from \$3.50; and

(3) extends for 5 additional years (\$5 million each year) the matching grants for States to construct nursing homes.

Section 1 of the bill, increasing per diem payments, would have an estimated first year cost of \$4,098,000, rising to an estimated \$4,413,000 in fiscal year 1973. The cost of section 2 would be a potential of \$5 million in appropriations for construction grants for each of the 5 additional years, beginning with fiscal year 1970.

Hearings on the bill were held before the Subcommittee on Veterans' Affairs on July 1, 1968.

EDUCATIONAL ASSISTANCE

The Senate proceeded to consider the bill (H.R. 16025) to amend title 38 of the United States Code with respect to eligi-

bility for, and the period of limitation on educational assistance available under part III of such title, and for other purposes which had been reported from the Committee on Labor and Public Works, with amendments, on page 2, after line 4, strike out:

(1) by striking out "subsection (b)" in subsection (a) thereof and inserting in lieu thereof "subsection (c)",

And, in lieu thereof, insert:

(1) by striking out subsection (a) and inserting in lieu thereof the following:

"(a) Except as provided in subsection (c), each eligible veteran shall be entitled to educational assistance under this chapter for a period equal to one and a half times the duration of his service on active duty after January 31, 1955 (or the equivalent thereof in part-time educational assistance).

On page 9, after line 11, insert:

(b) Section 1682(d) of title 38, United States Code, is amended by striking out "12 clock hours per week" and substituting in lieu thereof the following: "at least two hundred hours per year (and of at least eight hours each month)".

On page 10, after the table following line 8, insert a new section, as follows:

Sec. 5. (a) Subsection (a) of section 1677 of title 38, United States Code, is amended by striking out the material preceding clause (1), and inserting in lieu thereof the following:

"(a) The Administrator may approve the pursuit by an eligible veteran of flight training where such training is generally accepted as necessary for the attainment of a recognized vocational objective in the field of aviation or where endeavor other than aviation, subject to the following conditions:"

(b) The second sentence of section 1677(b) of title 38, United States Code, is amended to read as follows: "Such allowances shall be paid monthly upon receipt of a certification from the eligible veteran and the institution as to the actual flight training received by, and the cost thereof to, the veteran during such month."

(c) Section 1677 of title 38, United States Code, is amended by adding at the end thereof a new subsection as follows:

"(c)(1) In any case in which a veteran wishes to pursue a course in flight training under this section but does not possess a valid private pilot's license and has not satisfactorily completed the number of hours of flight instruction required for a private pilot's license, the Administrator is authorized to make a direct loan to such veteran to pursue the flight training required for a private pilot's license.

"(2) Loans made under this subsection may be made in any amount not to exceed \$500 and shall bear interest at a rate determined by the Administrator, but not to exceed 6 per centum per annum.

"(3) Loans made under this section shall be repayable in equal monthly installments over a period of time not to exceed three years commencing upon the failure of the eligible veteran to enter upon a course of training under subsection (a) of this section within one year after completion of the requirements for or the obtaining of a private pilot's license, but up to 100 per centum of such loan (plus interest) may be canceled at the rate of 33 1/3 per centum for each calendar year of service performed by the veteran in a recognized vocational field in aviation entered upon pursuant to training under subsection (a) hereof.

"(4) Loans made under this section shall be made upon such other terms and conditions as may be prescribed by the Administrator."

On page 12, at the beginning of line 14, change the section number from "5" to "6"; and in line 15, after the word "sections" strike out "2 and 3" and insert "2, 3, and 5".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1394), explaining the purposes of the bill.

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

BACKGROUND OF THE BILL

The U.S. Veterans' Advisory Commission in its report urged the establishment of an educational assistance program for widows receiving DIC. The formal recommendation follows:

RECOMMENDATION NO. 30

The Commission recommends establishment of an educational assistance program for widows receiving DIC.

Background to recommendation

Upon the deaths of their husbands, widows of veterans who die from service-connected disabilities often face an abrupt loss of adequate financial support, and must, in many instances, adjust their living standards to a substantially lower level. Barring employment or remarriage, their expectations for income are limited to VA benefits and, perhaps, to social security. At present, the current monthly DIC payment for all widows averages \$153.79.

The modest security provided by DIC should not induce widows to lead withdrawn or sheltered lives. It is preferable and necessary to encourage widows to return to the "mainstream," both economically and socially. This goal could be furthered through additional training and education.

Additional training would make it possible for widows to supplement their income, thereby enabling them to achieve a comfortable standard of living. The national economy would benefit from such training because the costs of training would eventually be returned as additional income tax revenues. In addition, the Nation would gain needed skills for its manpower resources.

Widows receiving DIC as of June 30, 1967, numbered 153,105. Of these, an identifiable group now evolving from the hostilities in Vietnam (and elsewhere around the globe) is estimated in excess of 8,300. These younger widows have attracted considerable concern because many of them were married before they had a chance to complete their education or to practice their skills in a work setting. It is obvious that this group would benefit from additional education and training. Older widows receiving DIC would also gain, for now they often experience difficulty in finding employment because of their age or because their skills are outmoded.

The Commission recommends a training program for all widows receiving DIC. We believe such training should be directed toward a goal assuring employment, rather than function as a program of general education.

Under our program, financial assistance would be provided each eligible widow by increasing her DIC at the rate of \$100 per month while enrolled in and pursuing an approved full-time program. For minimum schooling of three regular class sessions per week, widows would receive \$60 per month in addition to DIC payments. Entitlement to

training would extend for a maximum of 36 months. Eligibility for enrollment in this program would expire at the end of 8 years from the date of death of the veteran from whom eligibility is derived or from the date of legislative enactment, whichever is later.

Criteria for approval of courses and measurement of full- and part-time training would parallel those which apply to enrollment under chapter 35, United States Code, title 38. Counseling for this training program would be optional but required for a second change in program or for reentry after termination for unsatisfactory progress or conduct.

Another important recommendation of the Commission was:

RECOMMENDATION NO. 31

The Commission recommends establishment of an educational assistance program for wives of veterans who have a total disability, permanent in nature, resulting from a service-connected disability.

Background to recommendation

Totally disabled veterans and their families must rely on VA compensation for support. Although this level of maintenance is above poverty criteria, it is, in most cases, much less than the standard of living which the veteran, but for his service disability, could have expected to provide for his family.

It is seldom possible to rehabilitate the totally disabled veteran economically. Therefore, an equitable alternative lies in a program of educational assistance for the veteran's wife. Such a program would enable her to supplement the income of the family of the veteran totally incapacitated due to service.

Thus, the Commission recommends a program of education and training for the wives of veterans who have a total disability, permanent in nature, resulting from a service-connected disability. This program would be similar in all respects to that proposed for widows receiving DIC, except that eligibility for enrollment would expire at the end of 8 years from the date of a veteran's total disability rating or from the date of legislative enactment, whichever is later.

Combined educational entitlement

Section 1 provides that a veteran who is eligible under the current so-called GI Bill of Rights (Public Law 89-358) and who received benefits under the war orphans benefit program, the vocational rehabilitation programs, or the World War II or Korean war GI bills can earn an additional 12 months' educational entitlement for a maximum under both programs of 48 calendar months.

Current law (38 U.S.C. 1661) provides that the months of educational assistance furnished to any eligible veteran when combined with any education and training received under the World War II or the Korean GI bill, the war orphans educational program, as well as the receipt of vocational rehabilitation training, may not exceed 36 months. H.R. 16025 would modify this to allow an eligible veteran to use at least 12 months of any entitlement that he earned as a result of post-Korean service, notwithstanding the fact that he had previously received a full 36 months of education or training under one or more of the other Veterans' Administration education assistance programs. The bill also removes the requirement that a person who is entitled both to educational assistance and to vocational rehabilitation must make an irrevocable election between such benefits.

The new GI educational assistance program is intended to assist the veteran in readjusting to civilian life following his period of post-Korean service. The fact that he may have had previous training at Government expense under a different program may minimize, and in many cases might obviate, the need for further readjustment assistance;

but, if the veteran finds that he does need additional education, such as a master's degree to successfully enter into a teaching profession, the opportunity should be open to him. The notion is that we reward extra service and recognize that further education today may be necessary for adequate readjustment.

Liberalized educational entitlement

Section 1 also provides that each eligible veteran shall be entitled to educational assistance under chapter 34 of title 38, United States Code, for a period equal to one and a half times the duration of his service on active duty after January 31, 1955 (or the equivalent thereof in part-time educational assistance). This provision was originally proposed by Senator Yarborough in S. 3349;

When Congress passed the Korean war GI bill, we saw to it that our veterans were made eligible for educational assistance or training for a period equal to 1½ times their active duty service. Thus, a serviceman who had served his country for 24 months was eligible for 36 months of educational benefits—enough to get a full 4-year college degree.

Two years ago, after a long and difficult struggle, Congress passed the cold war GI bill—a measure which took a fundamental step in giving to our men in uniform the opportunity to readjust to civilian society after having served their country. But, although vital and necessary, the cold war GI bill, when contrasted with the Korean war GI bill, is inadequate and unequitable.

Korean veterans became eligible for assistance at the rate of 1½ days of assistance to 1 of active duty service. But cold war veterans were made eligible for educational assistance or training for a period only equal to their active duty service, a 1-to-1 ratio. Thus, under the cold war bill, a serviceman who has served his country for 24 months is eligible for only 24 months of educational benefits—enough to cover just 2½ years of college.

That Congress should have perpetrated a system which on its face is so inadequate and unequitable is difficult enough to justify—but to have done so at a time when the importance of a college degree is becoming more and more manifest and when the cost of attaining that degree is skyrocketing is all the more serious.

This committee finds no rationale for the proposition that our cold war and Vietnam veterans are in some way less deserving than our Korean veterans, or that an investment in them and in the future of our country need not be as great as the investment we made in our Korean era veterans. The benefits accorded under the cold war GI bill need to be put in line with reality.

An identical provision was approved by the Senate last year as part of the omnibus bill with amendments to the cold war GI bill. In conference with the House, the provision finally was dropped to avoid losing the whole bill, which included important programs for on-the-job training, on-the-farm training and flight training.

The committee is particularly disturbed at the negative attitude of the Veterans' Administration with respect to providing 1½ months educational assistance for each month on active duty. The sole reason given by the Veterans' Administration in favor of the present system is that it induces a person to stay in the service for an extra year to earn full entitlement. The committee feels that it is a shocking disregard of responsibility for the Veterans' Administration to take such a stand against the best interests of our Nation's veterans endorsing the withholding of deserved benefits in order to induce the individuals concerned to stay in the service.

An excerpt from the hearing record on this point follows:

Senator YARBOROUGH. Let me ask you, do you think the Korean GI bill was too gener-

ous in allowing a month and a half of training for each month of service?

Mr. FARMER [Veterans' Administration]. No, sir, I do not.

Senator YARBOROUGH. All right.

Do you think that these veterans ought to be discriminated against and not treated equally as well as those of the Korean conflict?

Mr. FARMER. Well, the reason I said—no, sir; because that was a law, and we administer the law as we get it. But I would also submit to you—

Senator YARBOROUGH. Do you think it was unfair in providing for a month and a half of training for each 1 month of service?

Mr. FARMER. Well, sir, I subscribe to the point of view if we can induce a young man to be of more service this country—

Senator YARBOROUGH. In other words, if you can induce him to stay in longer, you ought to deprive his benefits?

Mr. FARMER. I think this is a desirable tactic.

Senator YARBOROUGH. I think that is a horrible position for the Veterans' Administration to take. It will deny him the benefits that have gone to 19 million veterans—no, 21 million veterans of World War II and the Korean conflict if, by that denial, we can force them to stay in longer.

Mr. FARMER. Because of the desirable effects on them, on the reenlistment rate, we are adopting the position that we are today.

Senator YARBOROUGH. Your position is just the Defense Department—

Mr. FARMER. We are acting in concert with the Armed Forces.

Educational benefits for widows

Section 2 of the bill extends the provisions of the war orphans' education program to the widow of any person who died of a service-connected disability or the wife of any person who has a total disability, permanent in nature, resulting from a service-connected injury or disease. Benefits provided in section 2 would not be applicable to a widow who has remarried. In line with the current provisions of VA education laws, there is an 8-year time limitation for a widow or wife to complete the educational assistance program of 36 months at \$130 a month—8 years from the effective date of this proposal or 8 years from the date of death of the veterans or decision of total disability, whichever is the later.

Correspondence courses

Section 3 is in line with the current provisions of Public Law 89-358, as amended by Public Law 90-77, applicable to flight training and provides that any veteran who is pursuing a program of education exclusively by correspondence shall be charged 1 month of eligibility entitlement for each \$130 which is paid to the veteran as an educational assistance allowance.

On-the-farm training

Section 3 would also liberalize the current 12-hour-per-week requirement of classroom instruction for eligible veterans pursuing a program of farm cooperative training to require at least 200 hours per year (and at least eight hours each month) of such classroom instruction.

This provision was originally proposed by Senator Yarborough in S. 3349:

Last year, when Congress passed the GI bill amendments—Public Law 90-77—we incorporated a farm cooperative program which enabled returning veterans engaged in agricultural employment to obtain assistance for institutional agricultural courses. As is often the case, the provision the Senate passed was adequate, but in having to compromise with the House to get a bill adopted, the program was changed.

When the compromise was offered, the Veterans' Administration had indicated that the language would lead to a program of full

and available participation. That has not been the case.

As the provision now stands, a veteran, in order to qualify, has to enroll in at least 12 clock hours of classes per week. For an agricultural worker employed within minutes of his classroom this is fine. But more often than not, the agricultural worker is employed at a great distance from the classroom, so that it is virtually impossible for him to hold down a full-time job and commute the hundreds of miles a week necessary to fulfill the 12-hour requirement.

The result has been that under the present on-farm-training program, a total of only 116 veterans have participated. This is in shocking contrast to earlier programs. For under the World War II GI bill, 700,000 veterans received on-the-farm training, and under the Korean GI bill, 100,000 veterans received on-the-farm training.

There is at present considerable apprehension over the steady decline in the number of family farms in the United States, and over the current low levels of farm income. Additionally, there is worldwide concern over impending food shortages which could eventually result in disastrous famine in many parts of the globe. This provision of H.R. 16025 aimed at maintaining the highest possible levels of agricultural production in the United States. It can enhance the opportunity for young veterans and their families to establish themselves in the business of farming.

State approval agencies

Section 4 would authorize the Veterans' Administration to reimburse State approval agencies—which examine and certify schools as acceptable for study under GI bill—for administrative costs (present reimbursement covers salary and travel of employees).

Under existing law the Administrator of Veterans' Affairs is authorized to pay State and local agencies for reasonable and necessary expenses of salary and travel of employees of State agencies in rendering necessary services for evaluating and supervising the several educational programs administered by the Veterans' Administration insofar as they relate to educational institutions in a given State. Section 4 would provide an allowance for administrative costs, the exact amount of which would be determined by the size of the contract, between the Veterans' Administration and the State, for the amount of salary. Thus if the amount of salary was \$5,000 or less a year, the administrative expenses would be limited to \$250. In a State which had many institutions subject to supervision by the State approval agency, and the salary allowance was more than \$80,000, the amount for administrative expenses would be \$5,285 for the first \$80,000 of salary expenses plus \$300 for each additional \$5,000 or fraction thereof.

Flight training

Section 5(a) would authorize the Administrator to approve the pursuit by an eligible veteran of flight training where such training is generally accepted as necessary for the attainment of a recognized vocational objective in the field of aviation or where generally accepted as ancillary to the pursuit of a vocational endeavor other than aviation, subject to certain conditions. This provision was originally proposed by Senator Yarborough in S. 3350:

This would extend advanced flight training assistance to eligible veterans who, although not interested in pursuing a career in commercial aviation as such, find that their ability to pilot an aircraft would expand their opportunities in earning a livelihood. For example, it could well permit a physician to bring his lifesaving skills to otherwise remote and inaccessible sections of the Nation. Less dramatically, it could enable a salesman to see a greater number of prospective purchasers more often and yet devote more time to home and family.

Similarly it would help, for example, the modern-day ranchers who use small aircraft to spot and herd cattle.

Section 5(b) would authorize the payment of the educational assistance allowance to eligible veterans pursuing flight training under chapter 34 of title 38, United States Code, on a monthly basis upon receipt of a certificate from the veteran and the institution as to actual flight training received by, and the cost thereof to, the veteran during such month. This provision was originally proposed by Senator Gruening in S. 3476.

This would relieve the financial burden on the veteran trainee of waiting for 2½ months to receive funds to which he is entitled.

Section 5(c) would authorize the Administrator to make a loan to a veteran wishing to pursue a course of flight training but who lacks the private pilot's license and is not otherwise entitled to such license, in order that he might obtain the flight training required for a private pilot's license. Such loan would not exceed \$500 and would bear interest not to exceed 6 percent per annum. The amount of the loan would be repayable in equal monthly installments over a period of time not exceeding 3 years commencing upon the failure of the veteran to enter upon a course of flight instruction within 1 year after completing the requirements for or obtaining a private pilot's license. A third of the loan, plus interest, would be canceled for each calendar year of service performed by the veteran in a recognized vocational field in aviation entered upon pursuant to the flight training received under this provision. It does not specify the condition under which the loan would be repaid by veterans who stop short of completion of their training or who do not promptly enter a vocational field in aviation upon completion of training. It is intended that the Veterans' Administration would provide for these contingencies under the general authority of the Administrator.

As a condition for obtaining assistance under the flight training provisions, the eligible veteran under present law must have a valid private pilot's license or have satisfactorily completed the number of hours of flight training instruction required for such a license. As it turns out, it costs an average of \$500 to obtain a private pilot's license. As a result the very individuals who desire and need to take advantage of the flight training provisions are unable to because they cannot afford to meet the basic requirement of having a license or qualifying for one. Section 5(c) will enable the Administrator to extend short-term loans to qualifying veterans to obtain a pilot's license.

Section 6 specifies an effective date for sections 1, 2, 3, and 5 as the first day of the second calendar month which begins after the date of enactment of this act; and section 4 is effective for the periods beginning after June 30, 1968.

The Veterans' Administration estimates that the first-year cost of the provision in section 1 on combined educational entitlement would be nominal. There is no accurate estimate of the cost of the provision for liberalized educational entitlement.

The estimated first-year cost of section 2 is \$7.5 million.

The Veterans' Administration's estimate of the cost of section 3 is based on the assumption that participation under the amended provision would jump from 116 veterans to 27,000 veterans. On a more realistic assumption of an increase to perhaps 4,000, estimated cost would be in the neighborhood of \$4 million.

Estimated first-year cost of section 4 is \$140,000.

Estimated first-year cost of section 5 is \$4.5 million.

Hearings on the bills were held before the Subcommittee on Veterans' Affairs on July 1, 1968.

NURSING HOME CARE

The Senate proceeded to consider the bill (H.R. 3593) to amend title 38 of the United States Code to eliminate certain requirements for the furnishing of nursing home care in the case of veterans hospitalized by the Veterans' Administration in Alaska or Hawaii which had been reported from the Committee on Labor and Public Works, with an amendment, on page 2, after line 2, insert a new section, as follows:

SEC. 2. Clause (iii) of section 601(4) (C) of title 38, United States Code, is amended to read as follows:

"(iii) for veterans of any war in a State, Territory, Commonwealth, or possession of the United States not contiguous to the forty-eight contiguous States, but authority under this clause (iii) shall expire on December 31, 1978."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1393), explaining the purposes of the bill.

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

EXPLANATION OF THE BILL

H.R. 3593 as amended corrects certain inequities in the treatment of veterans in Alaska and Hawaii which has occurred because: (1) these two alone of the 50 States have no Veterans' Administration hospital, and (2) these two areas lost their compensating exception as territories when they achieved statehood.

The bill as amended is identical in substance to S. 562 as amended, which passed the Senate in the 89th Congress.

Section 1 of the bill represents the version of H.R. 3593 which passed the House.

When Public Law 88-450 was enacted authorizing among other things the furnishing of nursing care in Veterans' Administration-operated nursing homes and in community nursing homes, there was no provision made for the furnishing of such nursing care in the States of Alaska and Hawaii. There are no Veterans' Administration hospitals in these two States, but rather care is provided in hospitals operated by the armed services or other Federal hospitals on the basis of agreement with the Veterans' Administration and, in the case of service-connected veterans, hospital care may be provided by contract in community hospitals.

One of the basic provisions of Public Law 88-450 is that in order for an individual to be placed in a privately operated or community nursing home for temporary care at VA expense the patient must first have been in a Veterans' Administration hospital and reached a medical condition which warranted a transfer to a nursing home installation. This provision, in view of the absence of Veterans' Administration facilities in Alaska and Hawaii, prevented the furnishing of nursing care in these two States.

The purpose of section 1 is to permit the furnishing of nursing care in Alaska and Hawaii where such care is found to be warranted.

Section 2 of the bill amends the definition of the term "Veterans' Administration facilities" contained in section 601(4) (C), title 38, of the United States Code, to include private contract facilities for a veteran of any war when such veteran is in a State

not contiguous to the 48 contiguous States. This represents the substance of S. 995, which was introduced earlier in the 90th Congress.

Bills of similar intent have been considered in several earlier Congresses. As pointed out above, S. 562, containing this provision, passed the Senate in the 89th Congress. Section 2 is identical in purpose to S. 625, which passed the Senate in the 88th Congress; to S. 801, which was reported from the Committee on Labor and Public Welfare in the 87th Congress; and to S. 2201, which passed the Senate during the 86th Congress.

Under the present law, war veterans with non-service-connected disabilities are entitled to hospitalization in VA hospitals when they themselves are unable to pay the costs, and when space is available in such hospitals. Further, they are entitled to hospitalization in private contract facilities, but only in a "territory, Commonwealth, or possession of the United States."

Alaska and Hawaii are the only States in which the Veterans' Administration maintains no hospitals, and the veterans in these States do not have the advantage of hospitalization in facilities devoted entirely to the care of veterans.

Before statehood, private contract facilities were used in these areas to provide hospital care to veterans with non-service-connected injuries. When Alaska and Hawaii became States, however, the Administrator of Veterans' Affairs lost the power to contract there for private hospital facilities, and it is to this problem that section 1 of the present bill is addressed. In practical effect, this section of the bill merely restores the situation which existed prior to the time Alaska and Hawaii achieved statehood, and they are the only States affected by this legislation.

At the present time, hospital care for veterans with non-service-connected disabilities is provided in Alaska and Hawaii through other Government hospitals. In Alaska, beds are allocated for veterans in hospitals of the Department of Defense and the Department of Health, Education, and Welfare. In Hawaii, the Department of Defense has allocated beds in the Army's Tripler General Hospital. Under the appropriate conditions, veterans may go to these hospitals if beds are available. But with the present increases in the demands on Department of Defense hospitals, it is possible that space will be less available than before. Also, travel in the remote regions of Alaska and the outlying islands of Hawaii is difficult, and there is a need to allow the veteran to be hospitalized in private hospitals near his home.

The Veterans' Administration did not give cost estimates in their report on S. 995 (sec. 2 of the amended bill). They indicate in their report that the cost of this portion will be "relatively small," and that precise figures involve too many contingencies to be accurately calculated. The best information available, however, indicates that the cost will be about \$500,000 per year.

The Veterans' Administration estimates that the annual cost of H.R. 3593, without regard to section 2 of the instant bill, will be approximately \$22,000.

Hearings on the bill were held before the Subcommittee on Veterans' Affairs on July 1, 1968.

The title was amended, so as to read: "An act to amend title 38 of the United States Code to provide nursing home care and contract hospitalization for certain veterans living in Alaska and Hawaii."

SEIN LIN

The Senate proceeded to consider the bill (S. 3152) for the relief of Sein Lin which had been reported from the Com-

mittee on, the Judiciary, with an amendment, in line 6 after "May 24, 1960" strike out "upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available."; so as to make the bill read:

S. 3152

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of the Immigration and Nationality Act, Sein Lin shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 24, 1960.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1403), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The bill has been amended in accordance with established precedents.

DR. MARIO E. COMAS

The bill (S. 3042) for the relief of Dr. Mario E. Comas was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3042

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Mario E. Comas shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 21, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1395), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. JAGIR SINGH RANDHAWA

The bill (S. 3166) for the relief of Dr. Jagir Singh Randhawa was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3166

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Dr. Jagir S. Randhawa shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 4, 1957.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1404), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

MANUEL HECTOR MERE HIDALGO

The bill (S. 3085) for the relief of Manuel Hector Mere Hidalgo was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3085

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Manuel Hector Mere Hidalgo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 5, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1402), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. NARCISO A. LORES

The bill (S. 3082) for the relief of Dr. Narciso A. Lores was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3082

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Narciso A. Lores shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 19, 1960.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1401), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

EDUARDO RAUL FERNANDEZ SANTALLA

The bill (S. 3081) for the relief of Eduardo Raul Fernandez Santalla was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3081

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality

Act, Eduardo Raul Fernandez Santalla shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 5, 1960.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1400), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. MIGUEL A. GOMEZ

The bill (S. 3076) for the relief of Dr. Miguel A. Gomez was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3076

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Miguel A. Gomez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 1, 1960.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1399), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. RICHARD FRANCIS POWER

The bill (S. 3075) for the relief of Dr. Richard Francis Power was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3075

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Richard Francis Power shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 24, 1960, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of such Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1398), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. DAVID ALFREDO ORTA-MENENDEZ

The bill (S. 3051) for the relief of Dr. David Alfredo Orta-Menendez was con-

sidered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3051

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor David Alfredo Orta-Menendez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 30, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1497), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. JUAN C. ARRABAL

The bill (S. 3043) for the relief of Dr. Juan C. Arrabal was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3043

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Juan C. Arrabal shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 9, 1963.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1396), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

AMENDMENT OF THE MARINE RESOURCES AND ENGINEERING DEVELOPMENT ACT OF 1966

The Senate proceeded to consider the bill (H.R. 13781) to amend title II of the Marine Resources and Engineering Development Act of 1966 which had been reported from the Committee on Commerce with amendments, on page 1, line 10, after the word "of" strike out "\$6,000,000" and insert "\$8,500,000"; and on page 2, line 1, after the word "of" strike out "\$8,000,000," and insert "\$12,000,000."

AMENDMENT OF MARINE RESOURCES AND ENGINEERING DEVELOPMENT ACT OF 1968—REFERRAL TO COMMITTEE

Mr. MANSFIELD. Mr. President, H.R. 13781, the sea grant college proposal has a jurisdictional base in both the Committee on Commerce and the Committee

on Labor and Public Welfare. The chairman of both committees have followed this legislation very closely as have the interested members of both committees. Without the press for time before an adjournment sine die, this legislation would be referred to the Committee on Labor.

However, under the present circumstances, the lateness of the session and in view of the informal agreement with the form of the legislation by the interested members of the Labor Committee and with the approval of the chairman on Labor and Public Welfare. I ask unanimous consent that Order No. 1360, H.R. 13781, the sea grant college proposal, reported July 11 by the Committee on Commerce be referred to the Committee on Labor and Public Welfare and that the Committee on Labor and Public Welfare be instructed to report the bill to the Senate before the close of business on Wednesday, July 17.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. MURPHY. Mr. President, may I make inquiry of the Senator from Montana, the majority leader? Things were going so fast here that although I am known as a liberal character, I just could not keep up with them.

Do I understand correctly that the majority leader wants the Committee on Labor and Public Welfare to take a bill tomorrow and it is ordered that the bill must be marked up by the day after tomorrow?

Mr. MANSFIELD. Yes, indeed. This is a bill which has been thoroughly heard by the Committee on Commerce. This is done with the approval of the chairman of the Committee on Labor and Public Welfare.

Mr. MURPHY. As a member of the Committee on Labor and Public Welfare, may I inquire what is the subject of that bill.

Mr. MANSFIELD. It has to do with sea-grant colleges.

Mr. MURPHY. Well, I am familiar with that important program. In fact, I was one of the authors of the legislation. The bill has great merits and even greater potential. I am just being cautious and careful. I do, however, want to be as cooperative with the majority leader as I possibly can.

I understand, then, that there will be no session of the Senate tomorrow?

Mr. MANSFIELD. That is correct.

Mr. MURPHY. And we meet again at 12 o'clock on Wednesday next?

Mr. MANSFIELD. That is correct. Let me say to the Senator from California that it is my understanding the chairman of the Committee on Commerce thought this should be referred to the Committee on Labor and Public Welfare—even though the Parliamentarian referred it to the Committee on Commerce in the first place—as a matter of comity.

Mr. MURPHY. Would it be possible that the chairman of the Committee on Commerce might be present when the Committee on Labor and Public Welfare meets to help us find out about the bill?

Mr. MANSFIELD. Oh, yes, indeed.

Mr. MURPHY. I think that might help clear up any undue confusion in my mind.

Mr. MANSFIELD. Let me say that the majority leader is merely following instructions and thought what he was doing was in the interest of comity between the two committees and was further understood as to why it was being referred.

Mr. MURPHY. I am certain that the majority leader is always most thoughtful, and his courteous and positive manner will stand us all in good stead. I just wanted to know what was happening, because we were going so fast that I did not want anything to go by me that I did not know about. I thank the Senator from Montana.

Mr. MANSFIELD. Let me say to my good friend from California that I am not very nimble.

Mr. MURPHY. The Senator is nimble enough.

VOCATIONAL EDUCATION AMENDMENTS OF 1968

The Senate resumed the consideration of the bill (H.R. 18366) to amend the Vocational Education Act of 1963, and for other purposes.

Mr. YARBOROUGH. Mr. President, I support the Vocational Education Amendments of 1968. The bill now before us represents months of intensive work and study by the Education Subcommittee and by the full Committee on Labor and Public Welfare. It is a truly bipartisan bill and one which I suggest merits the support of all my colleagues in this Chamber.

In particular, I wish to call attention to two sections of the bill in which I have taken special interest: Research projects in new careers and vocational homemaking education.

If there was one thing the committee learned during its hearings on S. 3099, it was that vocational education has fallen to a low estate in this Nation. It is all too often looked upon as nothing but a poor second choice for the student who is unmotivated or unable to go on to college. This unconscious downgrading on the part of the students is reflected in similar attitudes held by teachers and administrators. As a result vocational education has become the orphan, the stepchild of the education system instead of taking its rightful place at the fore of educational change and innovation.

We know that it would be folly to assume that every child in America should go on to a conventional arts and science course in college. The opportunities presented by vocational education are manifold and challenging. And it is time that not only vocational education, but the people of America, rid themselves of a 19th-century perspective on this part of our educational system. Vocational education is more than training someone to work with his hands. It is training our youngsters—and, for that matter, retraining our adults—for challenging and creative careers.

Part C of the bill before us recognizes that vocational education should expand its horizons and work from within to improve itself and its services and sets forth authorization for grants and contracts for research and training in vocational education.

Under this section, the Commissioner of Education is authorized to "make grants to and contracts with institutions of higher education, public and private agencies and institutions, State boards, and, with the approval of the appropriate State board, to local educational agencies in that State to encourage research and training in vocational education and the development of vocational education programs designed to meet special vocational education needs of youths and to provide education for new and emerging careers and occupations."

It is this last phrase which concerns me in particular, for it, and further language in this section, is the result of amendments I have offered and which are incorporated in the vocational education bill.

In February of 1966 the National Commission on Technology, Automation, and Economic Progress reported that there were 5.3 million potential sources of new jobs through public service employment. By public service employment I mean occupations in such fields as mental and physical health, crime prevention and correction, education, municipal services, child care, and recreation. These are fields where there is a tremendous and growing manpower gap. The solution I have posed is almost alarming in its simplicity: Provide for research and training into the possibility of using the vast resources of the vocational education sector to train young Americans to take less than so-called professional jobs in the public service sector. The key to this proposal is that the research be geared to providing upward mobility for those who take these jobs.

I envision our vocational schools turning out persons qualified to become, say, an education aide and then providing followup courses so that over a period of time the aide with classroom experience could move up the rungs of a career ladder and perhaps eventually become a teacher—a professional—himself.

It should be the function of legislation dealing with subjects like education to open doors and open opportunities and possibilities that have not existed before. My amendment does precisely that. It provides a union between the needs of society as evidenced by that manpower gap in the public sector and the abilities of the vocational education schools in training persons to fill that gap.

Of particular interest is the fact that virtually all of the increase in employment from 48 million in 1947 to some 80 million at present has occurred in the service areas of the economy: Hospitals, schools, social work, and many fields of business, while employment in the production of goods has remained relatively stable.

Our economy is truly the first "service" economy—one in which more than half of those employed are not involved in the production of tangible goods.

For vocational education to continue to channel its students into that area of the economy which is already saturated instead of the new sector which is undergoing rapid expansion—would be futile. The amendment I have proposed and which I urge my colleagues to endorse would provide the foundation for vocational education to adjust and adapt to the times.

Equally important is the area of vocational homemaking education, part F of the bill before you. This section will, for the first time, bring homemaking education into the legislative picture in a formal manner—being specifically set forth and given its own place in the sun. Under this section funds can be expended for "educational programs designed to fit for homemaking, persons who have entered, or are preparing to enter, the work of the home, including consumer education programs, with special emphasis of programs for persons who are economically or social deprived," as well as "ancillary services and activities to assure quality in all homemaking education programs, such as teacher training and supervision, program evaluation, special demonstration and experimental programs, development of instructional programs, and State administration and leadership."

I have endorsed this concept from its inception and have supported its inclusion in the Vocational Education Amendments. It would be shortsighted of us indeed if we were to pass a law providing for training in vocational education primarily for men and ignored our other students—the young women of America—who are ultimately going to enter the vocation of being a housewife. Running a home in the 20th century is no easy task. And to say that our young women can pick up the essentials through conversation and example is to ignore the facts of life. Running a household is like running a small business and surely none of us would recommend that we send forth half the population of America to run small businesses without the requisite training.

This subject encompasses more than learning to bake an upside-down cake. It means education about credit and consumer education as well; it means imparting fundamental concepts about how to balance a budget realistically so that the young family does not go hopelessly into debt. It means training in the ideals of family life, and the science and art of building a successful family.

Beyond endorsing this section of the legislation I have amended it to its present level of authorization. As it originally came before the committee \$15 million would have been provided for the first year of operation of the program and \$20 million for each of the succeeding years. As it now stands the program will start off at \$25 million for the first year and then increase to \$35 million, then \$45 million, and then \$50 million. This amount is not excessive; it is modest to begin a governmental program of training in the most fundamental of all institutions in our Western civilization: the family.

I am proud that the Senate has the opportunity to provide this necessary sup-

port to the homemakers and future homemakers of America.

Mr. FANNIN. Mr. President, eight hundred of every thousand young people complete their formal education without a college degree. Yet our elementary and secondary schools continue to direct four-fifths of their resources toward college preparatory programs. Fifty years ago, or even before World War II, this was accepted because there were not very many other reasons for education. Today, it is no longer true.

The eight hundred young people out of every thousand who will not graduate from college can no longer be absorbed into American business and industry without additional skills required by modern technology. They need vocational and technical education on a scale unprecedented even a few years ago. Schools throughout the country are trying to update their programs with occupational skills and technical knowledge, but the need is far greater than their resources.

In a world where scientific knowledge doubles every 10 years, an 18th century educational philosophy is obsolete. Education for occupations must be at least as important as education for avocations, and education for employment as important as education for recreation. Education for wage earning must be at least as important as education for appreciation of art and music and literature.

Employers no longer simply ask, "Have you gone to high school?" They ask: "What have you learned that I can use if I employ you?"

The Advisory Council on Vocational Education in its report this year to the Congress and the American people states:

Why is vocational education necessary? It is the bridge between man and his work. Millions of people need this education in order to earn a living. Every man wants to provide for his family with honor and dignity and to be counted as an individual. Providing for an individual's employability as he leaves school, and throughout his work life, is one of the major goals of vocational education. Vocational education looks at a man as a part of society and as an individual, and never before has attention to the individual as a person been so imperative.

The American Association of School Administrators adopted the following resolution at their conference in Atlantic City in April of this year:

We urge that vocational-technical programs accessible to all students be developed in light of the best available knowledge about such programs.

We recommend that, wherever possible, programs of vocational-technical education for both young people and adults in need of training or retraining, however funded, be administered through state departments of education. Whatever the form of the vocational training offered, however, its content should be determined by projections for the national labor market and by the needs of regional employers. Especially do we urge that all vocational-technical programs provide students the core of basic knowledge and learning skills, both general and vocational, that will enable workers to identify and use general concepts as well as specific information and techniques, thereby easing the transitions made necessary by shifts in job or manpower requirements.

An opportunity for immediate gainful employment will in many cases encourage or enable students to remain in school who otherwise would drop out to seek employment, often without success. We therefore recommend that for occupations in which working experience is desirable and possible, work-study programs be developed in cooperation with local employers. We recommend that such work-study programs be made a part of the total educational program and be made available in time to prevent dropouts. We further recommend that the schools provide their students with vocational counseling and job placement services.

John W. Gardner emphasized in his book on "Excellence" that "the young person who does not go on to college should look forward to just as active a period of growth and learning in the post high school years as does the college youngster." Gardner, in fact, faced squarely one of the major problems in America today when he said:

In our society today, large numbers of young people never fulfill their potentialities. Their environment may not be such as to stimulate such fulfillment, or it may actually be such as to stunt growth. The family trapped in poverty and ignorance can rarely provide the stimulus so necessary to individual growth. The neighborhood in which delinquency and social disintegration are universal conditions cannot create an atmosphere in which educational values hold a commanding place. In such surroundings, the process by which talents are blighted begins long before kindergarten, and survives long afterward.

The fact that large numbers of American boys and girls fail to attain their full development must weigh heavily on our national conscience. And it is not simply a loss to the individual. At a time when the nation must make the most of its human resources, it is unthinkable that we should resign ourselves to this waste of potentialities. Recent events have taught us with sledge hammer effectiveness the lesson we should have learned from our own tradition—that our strength, creativity and further growth as a society depend upon our capacity to develop the talents and potentialities of our people.

What are the alternatives? Two-thirds of all workers who never complete high school are employed in unskilled and semi-skilled jobs. Unemployment among young people 16 to 21 years of age is 2 to 3 times higher than in the rest of the labor force. Our educational system during the 1960's has produced some 7.5 million dropouts equipped with few if any job qualifications.

Can a nation continue to be great and at the same time fail so many people? America's greatest resource is her human resource. The bill we are considering today is a straightforward and sincere effort by the Congress of the United States to provide assistance where it is greatly needed and in a way that both precedent and commonsense indicate will be most effective.

There are several provisions that are particularly significant and greatly needed. A national advisory council and individual state advisory councils are created in this legislation containing representatives of labor and management, educators, specialists in manpower, handicapped, and disadvantaged problems, and the general public. These advisory councils will provide the Congress and

the state boards for vocational education with a whole new range of talent and judgment in the rapid expansion of vocational education.

State and national planning will be made more systematic and effective through this legislation under provisions which have been recommended by the Advisory Council on Vocational Education.

This legislation provides for new exemplary programs and projects in vocational education to overcome the lag of training techniques behind modern employment requirements. Many of our young people for one reason or another do not benefit even from the best vocational programs available to them. Many have special problems. Curriculum materials, teaching methods, equipment, and whole occupations become obsolete before we have anything better to take their place. We need a systematic approach to new techniques, new programs, and this legislation makes provision for that need.

The Vocational Education Act of 1963 provided funds for research, experimentation, demonstration, and pilot projects which were greatly needed in helping vocational education keep abreast of the Nation's advancing technology. Industry spends billions of dollars each year in research and development of new products, new techniques, new ways of getting things done. Vocational-technical education cannot possibly keep up with the changing demands for skills and knowledge unless it too has the means of developing new knowledge, new techniques, and new ways of doing things.

The research provisions in the bill we are considering today have been improved through the experience acquired under the act of 1963 in two important respects: First, under the 1963 act it was extremely difficult for the States and local school districts to receive funds for projects of a strictly local nature. This bill removes that problem. It specifically authorizes the use of funds for State and local research, and it provides that half of the funds appropriated for vocational research shall be allocated to the States directly; second, it also provides for the systematic development, coordination, and dissemination of vocational research in each State through research coordinating units, which together form a national system of liaison in vocational research including the U.S. Office of Education, the national research centers, the regional education laboratories, and other public and private institutions. Research coordinating units are presently functioning in 44 States and are being established in the other six and in Puerto Rico. They are located in either State departments of vocational education, universities, or State research foundations according to the preference of each State.

I urge your support of this legislation with a final quote from John W. Gardner:

The society which scorns excellence in plumbing because plumbing is a humble activity and tolerates shoddiness in philosophy because it is an exalted activity will have neither good plumbing nor good phi-

losophy. Neither its pipes nor its theories will hold water.

Before closing, let me again commend the senior Senator from Oregon for his masterly handling of this complex legislation. Always knowledgeable and in the forefront, he guided these education proposals through extensive hearings and difficult sessions. His thorough understanding of the subject and his courtesy and patience in handling colleagues smoothed the way for passage of these bills.

Mr. MONTOYA. Mr. President, I rise to commend my distinguished colleague, the Senator from Oregon [Mr. MORSE] for his continuing excellent and dedicated leadership which he has once again exhibited here today—first in guiding through to passage the higher education amendments earlier today and now in leading the battle for improving and enlarging the vocational education programs in this Nation.

Mr. President, without doubt, one of the programs which has occupied a great deal of my time since coming to Congress, has been the vocational education program. This has been so because in my opinion this is where the future of our high school dropout, the unemployed, the underemployed, lies. I have been preaching from one end of the State of New Mexico to the other, the need for increasing vocational education programs in our State.

In my exposure to vocational education, I have been heartened by what it has to offer. But, I have also been disappointed that so few have been exposed to its advantages. I am, therefore, greatly pleased at this opportunity to cast my vote for S. 3770, which will authorize over \$2 billion for vocational education programs during the fiscal years 1970, 1971, and 1972. This is substantially below the recommendations of the Advisory Council on Vocational Education but at least we are moving in the right direction.

Mr. President, there is so much that is contained in S. 3770 that is worthy of commendation. I am equally positive that there are sections that can and will be criticized. Since the committee report only became available today, I have not had an opportunity to review each and every provision. But I have had an opportunity to review the bill sufficiently to know that overall it is an excellent testimonial to the concern which this Congress has exhibited toward enhancing the quality of American education.

Mr. President, I recently testified before the Senate Subcommittee on Education when the subcommittee was holding hearings on these proposed amendments. I made a number of recommendations based on my own experiences and also drawing on a report by the National Advisory Council on Vocational Education. I am pleased to note that many of these recommendations are incorporated in the bill before us.

Mr. President, I ask unanimous consent to have printed in the Record at the conclusion of my remarks portions of the summary of my statement before the subcommittee outlining briefly the need for expanded vocational education pro-

grams in New Mexico and the need to improve on certain aspects of the administration of the program.

Again, I wish to commend Senator MORSE and the entire Committee on Labor and Public Welfare for their fine work in reporting to us the bill and to urge adoption of S. 3770.

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

STATEMENT BY U.S. SENATOR JOSEPH M. MONTOYA (D.-N. MEX.) BEFORE THE SUBCOMMITTEE ON EDUCATION OF THE U.S. SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE ON AMENDMENTS TO THE VOCATIONAL EDUCATION ACT OF 1963, APRIL 18, 1968

Mr. Chairman, in my estimation, one of the most important pieces of legislation which this Session of Congress will consider is that measure which you have before you today—that is, the proposed amendments to the Vocational Education Act of 1963.

One of my major interests has been trying to bring to the administrators of education programs in the State of New Mexico and other officials, an awareness of the purpose and intent of the Vocational Education Act of 1963 (and related measures), of the need for expanded vocational education facilities and programs, of the promises of vocational education, and of the opportunities which are available to our State leaders to meet the challenges of our modern day needs.

The following are among the more pressing problems which face my State of New Mexico:

In New Mexico we have one of the highest dropout rates in the nation. Approximately 32% of all students that begin the 9th or 10th grade of school in New Mexico drop out before graduating from high school.

Among the Indians and in the northern counties of New Mexico, we have perhaps the highest unemployment record in the Nation. In some of the northern counties the unemployment rate runs as high as 14 or 15%, while among the Indians the employment picture is even more depressing with unemployment rates as high as 43% (excluding the Navajos).

We have in New Mexico a high concentration of citizens with academic, socio-economic, and other handicaps whose needs must be provided for.

Local school districts in New Mexico are bonded to capacity and, thus, unable to provide for the construction of new facilities to meet our needs.

In short, Mr. Chairman, I think it is fair to conclude that lack of an employable skill, unemployment or underemployment, and poverty go hand in hand. If we are to effectively attack the problems of poverty, we must attack the underlying problem of unemployment or underemployment. And, if we are to attack the problem of unemployment and underemployment, then we must move expeditiously to provide an opportunity to all Americans to acquire an employable skill. In this, vocational education must play their key role.

New Mexico is attempting to meet the challenges and this, undoubtedly, is true nationwide. However, Congress must renew its commitment to provide the guidance and the assistance to effectively carry out the purpose for which vocational education legislation was enacted.

Therefore, Mr. Chairman, I welcome this opportunity to bring some of my experiences before this Committee and to make a number of recommendations for your consideration.

Mr. Chairman, I have been shocked by the lack of understanding which I have found of the very intent and purpose for which Congress has enacted the various vocational education measures. The intent of

Congress was that every effort should be made to reach out to the high school dropout, to the high school student who does not intend to go on to college, to the unskilled, the unemployed, and the underemployed, to prepare them with a skill and to prepare them for gainful employment.

It has been brought to my attention, however, that Congress' intent is not always understood.

Congress meant for our schools to use vocational education monies to train carpenters, brick layers, electronic engineers, electronic technicians, key punch operators, and offset printers, to mention only a few of the occupations.

We must insure, during this session of Congress, that efforts be redirected in the manner intended by Congress. We must provide a mandate to the U.S. Office of Education to begin the close scrutiny which should have been in operation all these years but, which in fact, has been lacking. We must provide for a closer coordination between the local and state administrators, the U.S. Office of Education, and the Congress.

Mr. Chairman, we must seek new and innovative ways by which to not only renovate existing facilities but to construct new and sorely needed facilities. In New Mexico, with two or three exceptions, vocational education facilities are virtually non-existent. There is a growing interest in vocational education but the local school districts have absolutely no resources. They are bonded to capacity. They can provide no additional financing for such facilities.

The Federal Government gets a higher return for every tax dollar it spends on vocational education than for any other type of training program. It is, thus, incumbent upon us to provide the necessary appropriations for this purpose.

We must also encourage the State legislatures, through an education program of our own, to play a larger role in providing increased appropriations for the construction of vocational education facilities. Our States, in general, are not carrying their fair share of the load.

This Congress must seek new ways in which to meet the special needs of the Spanish-speaking American, the American Indian, the Negro, and others with academic, socio-economic, and other handicaps. New programs to meet their needs should be encouraged through the use of grants to institutions which are willing to develop programs to help those that need the help become taxpayers instead of tax liabilities.

Mr. Chairman, these are but a few of the points—although the major ones—which I would like to now discuss in more detail and to offer concrete recommendations for dealing with our past failures and for meeting the new, increasing, changing, and complex needs of this space age.

Mr. SPARKMAN. Mr. President, I rise to speak in favor of S. 3770 and particularly to voice my approval of that portion of the Vocational Education programs which are directed to home economics. I think it would be well for us to pause and consider for a moment the potential impact that a good basic education in home economics can have on the improvement of the standard of living and the basic happiness of every American family.

Home economics education has as its primary function the preparation of youth and adults to meet the responsibilities of home and family life. It is also designed for those who have entered or are preparing to enter gainful employment in an occupation involving knowledge and skills in home economics.

As our society continues to change and

to grow, more reasons develop for expanding our home economics educational programs, both in size and in scope.

Technological advances are constantly making more complex the work of the home. Research in child development and psychology has provided increased information about the training and guidance of children.

Approximately 95 percent of all women marry at some point in their lives. Today more than one out of every three workers are women and almost 3 out of 5 working women are married. This points to the need for preparing women for the dual role of homemaker and wage earner.

We have only begun to scratch the surface in providing home economics education for the disadvantaged and low-income families. There are also great needs among the physically and mentally handicapped. Special programs are also needed for newly established households.

It is my understanding that my distinguished colleague, the senior Senator from Texas [Mr. YARBOROUGH], sponsored an amendment in committee to provide an increase in the financial support for home economics education. I applaud my colleague's efforts in this regard. It will be necessary to increase this support merely to maintain the present programs due to the increased instructional costs and increased enrollments. Almost every State has far more requests for programs than they can fund. For example, my own State of Alabama has documented requests for 200 positions for additional home economics teachers and programs. Many other States are in similar situations.

There are other facts which, when considered, will again point to the need for increasing support for these programs. I would like to briefly present some of these factors for the consideration of my colleagues:

Population increases alone will be responsible for the need for additional support just to maintain the same level now available. The present program serves 20 percent of the girls in grades GS-9 to GS-12, or 1,231,061 girls. By 1970 it is estimated that this enrollment will have increased to 1,860,000, if we continue to enroll only 20 percent of the high school girls. If we were to serve 30 percent of the girls in these same grades there would be 2,790,000 pupils.

The cost per student in 1966 for vocational home economics was \$59.59. By projecting a 10 percent increase in this cost, it would be \$69.18 per enrollee. Thus a program to reach 30 percent of the girls in grade GS-9 to GS-12 by 1970 would cost approximately \$193,012,000 in State and Federal funds.

These figures illustrate what is needed to carry on the minimum program as it is now established. This would not provide for the many other areas in which there are demonstrated needs, such as programs in homemaking and family living, which are needed for adults who are not reached by the secondary school.

The Public Health Service estimates over 1,720,000 new households established with a 2.3 percent increase each year. To provide consumer education

and home economics instruction for 20 percent of these at a cost of \$10 per student would cost \$3,680,000. Newly established homemakers especially need training in managing income, providing food, housing, and child care.

Many States have been successful in reaching women, who could not attend other types of classes, through programs set up in public housing units. In these programs, trained home economists provide instruction in feeding the family, family relationships, child care and guidance, clothing the family, budgeting, home improvement, community leadership, and citizenship responsibilities. There are in 1968 a total of 11,044 housing projects with a total of 7,100,000 dwelling units in the United States. If one full-time teacher were employed in each project it would take 11,044 teachers and cost about \$110,440,000.

We also need to provide instruction for parents of students with special needs, for migrant workers, for the elderly—both in nursing homes and in their own homes—and for homemakers leaving mental institutions and penal institutions.

In addition, there is a need to expand resources to improve supervision, teacher education, and development of instructional materials in home economics. Special attention should be given to the training of teachers who will work with the special groups. Conferences, workshops, and institutes are needed to bring teachers up to date and to provide in-service training.

It is increasingly clear that what happens to a young person in the home has as much influence as what happens to him in schools. Thus we need to provide training in homemaking and family life. The more we are able to do in the regular school program, the less we will have to do in the future in remedial programs.

In the entire educational field we are just beginning to realize the need and responsibility for providing continuing education for adults. What we have done to date is only a very small part of what needs to be done. This is especially true in regard to home making and family life education. No segment of education offers so much promise of providing a vital and needed service to this generation and especially to succeeding generations.

We have proven by programs conducted in my State and in every part of the country that we can do the job that needs to be done. We have seen that everywhere programs are established, the demand for them is far greater than we are able to provide. But if we are to meet these needs, we must provide the basic framework now for these programs and we must provide the resources to support them. The States have been providing the major support of homemaking programs but need additional Federal support both in funds and program activities.

ORDER FOR ADJOURNMENT UNTIL WEDNESDAY, JULY 17, 1968

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate

completes its business today, it stands in adjournment until 12 noon on Wednesday, July 17, 1968.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION TO RECEIVE MESSAGES AND SIGN BILLS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that during the adjournment of the Senate following today's session, the Secretary of the Senate be authorized to receive messages from the House of Representatives that the Vice President be authorized to sign duly enrolled bills and joint resolutions, and that committees be authorized to file reports.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEFENSE PROCUREMENT AUTHORIZATION BILL, 1969

Mr. STENNIS. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3293.

The PRESIDING OFFICER laid before the Senate amendment of the House of Representatives to the bill (S. 3293) to authorize appropriations during the fiscal year 1969 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes, which was, strike out all after the enacting clause, and insert:

TITLE I—PROCUREMENT

SEC. 101. Funds are hereby authorized to be appropriated during the fiscal year 1969 for the use of the Armed Forces of the United States for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, as authorized by law, in amounts as follows:

AIRCRAFT

For aircraft: for the Army, \$735,447,000; for the Navy and Marine Corps, \$2,556,988,000, of which \$241,800,000 is authorized to be appropriated only for F-4J aircraft and \$162,800,000 is authorized to be appropriated only for EA-6B aircraft; for the Air Force, \$5,212,000,000.

MISSILES

For missiles: for the Army, \$956,140,000; for the Navy, \$848,212,000, of which \$55,500,000 is authorized to be appropriated only for the Phoenix missile; for the Marine Corps, \$13,500,000; for the Air Force, \$1,768,000,000.

NAVAL VESSELS

For naval vessels: for the Navy, \$1,360,500,000, of which \$52,000,000 is authorized to be appropriated only for the procurement of long leadtime components that could be used in vessels of either the DXGN or DLGN types and \$22,500,000 is authorized to be appropriated only for long leadtime components for an improved nuclear-powered attack submarine of new design.

TRACKED COMBAT VEHICLES

For tracked combat vehicles: for the Army, \$299,426,000; for the Marine Corps, \$10,800,000.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 201. Funds are hereby authorized to be appropriated during the fiscal year 1969 for

the use of the Armed Forces of the United States for research, development, test, and evaluation, as authorized by law, in amounts as follows:

For the Army, \$1,631,900,000 of which \$70,400,000 is authorized to be appropriated only for programwide management and support;

For the Navy (including the Marine Corps), \$2,192,721,000, of which (a) \$46,900,000 is authorized to be appropriated only for the development of the PHOENIX missile system, (b) \$70,000,000 is authorized to be appropriated only for the development of the VFX-1 aircraft, (c) \$4,000,000 is authorized to be appropriated only for development of an improved nuclear attack submarine to be included in the fiscal year 1970 procurement program, and (d) \$16,400,000 is authorized to be appropriated only for an improved nuclear-powered attack submarine of new design to be procured in years after fiscal year 1970.

For the Air Force, \$3,553,808,000; and
For the Defense Agencies, \$487,522,000.

SEC. 202. None of the funds authorized to be appropriated by this Act may be used for development or procurement of the F-111B aircraft.

TITLE III—RESERVE FORCES

SEC. 301. For the fiscal year beginning July 1, 1968, and ending June 30, 1969, the Selected Reserve of each reserve component of the Armed Forces will be programed to attain an average strength of not less than the following:

- (1) The Army National Guard of the United States, 400,000.
- (2) The Army Reserve, 260,000.
- (3) The Naval Reserve, 128,407.
- (4) The Marine Corps Reserve, 47,204.
- (5) The Air National Guard of the United States, 77,371.
- (6) The Air Force Reserve, 45,526.
- (7) The Coast Guard Reserve, 17,700.

SEC. 302. The average strength prescribed by section 301 of this title for the Selected Reserve of any reserve component shall be proportionately reduced by (1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at any time during the fiscal year, not including those units ordered to active duty in January 1968, and (2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at any time during the fiscal year. Whenever any such units, including those units ordered to active duty in January 1968, or such individual members are released from active duty during any fiscal year, the average strength for such fiscal year for the Selected Reserve of such reserve component shall be proportionately increased by the total authorized strength of such units and by the total number of such individual members.

SEC. 303. Subsection (e) of title I of Public Law 89-687 (80 Stat. 981) is amended by deleting "June 30, 1968" and substituting "June 30, 1969".

TITLE IV—GENERAL PROVISIONS

SEC. 401. Subsection (a) of section 401 of Public Law 89-367, approved March 15, 1966 (80 Stat. 37) as amended, is hereby amended to read as follows: "Funds authorized for appropriation for the use of the Armed Forces of the United States under this or any other Act are authorized to be made available for their stated purposes to support (1) Vietnamese and other Free World Forces in Vietnam, (2) local forces in Laos and Thailand; and for related costs, during the fiscal year 1969 on such terms and conditions as the Secretary of Defense may determine."

SEC. 402. Notwithstanding any other provision of the law, the civilian employee man-

ning levels at naval shipyards shall be exempt from any numerical manpower limitations applicable to the Navy, but shall be governed by the availability of funds allocated for ship construction, conversion, overhaul, alteration, and repair.

SEC. 403. No funds authorized to be appropriated by this Act, or any other Act shall be expended after January 1, 1969, by any armed force of the United States for the contract procurement of commercial airlift utilizing piston powered aircraft until contract preference has been given to offerors of modern turbine powered aircraft of comparable capacity: *Provided*, That no funds may be appropriated after January 1, 1969, or expended after January 1, 1969, to or for the use of any armed force of the United States for the contract procurement of commercial airlift unless the appropriation of such funds has been authorized by legislation enacted after June 30, 1968.

SEC. 404. (a) Chapter 153 of title 10, United States Code, is amended by adding at the end thereof the following new section:

"§ 2576. Obsolete and surplus military equipment: sale to State, local law enforcement, and firefighting agencies

"(a) The Secretary of Defense, under regulations prescribed by him, shall sell to State, local law enforcement and firefighting agencies, at fair market value, obsolete and surplus military equipment which is useful in equipping such agencies to carry out their functions and duties.

"(b) Obsolete and surplus military equipment shall not be sold under the provisions of this section to a State, local law enforcement or firefighting agency unless request therefor is made by such agency, in such form and manner as the Secretary of Defense shall prescribe, and such request, with respect to the type and amount of equipment so requested, is certified as being necessary for the operation of such agency by the Governor (or such State official as he may designate) of the State in which such agency is located. Equipment sold to a State, local law enforcement or firefighting agency under this section shall not exceed, in quantity, the amount requested and certified for such agency and shall be for the exclusive use of such agency. Such equipment may not be sold, or otherwise transferred, by such agency to any individual or public or private organization or agency."

(b) The table of sections at the beginning of chapter 153 of such title is amended by adding to the end thereof the following:

"2576. Obsolete and surplus military equipment: sale to State, local law enforcement, and firefighting agencies."

SEC. 405. No funds authorized for appropriation for the use of the Armed Forces of the United States under the provisions of this Act or the provisions of any other law shall be available for the purchase, lease, rental, or other acquisition of multipassenger motor vehicles (buses) other than multipassenger motor vehicles (buses) manufactured in the United States, except as may be authorized by regulations promulgated by the Secretary of Defense solely to insure that compliance with this prohibition will not result in either an uneconomical procurement action or one which would adversely affect the national interests of the United States.

SEC. 406. Section 2304(g) of title 10, United States Code, is amended by inserting a comma after the word "proposals" where first used in that section and inserting after the comma the words "including price."

SEC. 407. (a) Section 136 of title 10, United States Code, is amended—

(1) by inserting after the first sentence in subsection (b) the following new sentences: "One of the Assistant Secretaries shall be the Assistant Secretary of Defense for Health

Affairs. He shall have as his principal duty the overall supervision of health affairs of the Department of Defense.", and

(2) by adding at the end thereof the following new subsection:

"(g) Within the Office of the Assistant Secretary of Defense for Health Affairs there shall be a Deputy Assistant Secretary of Defense for Dental Affairs who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate. Subject to the supervision and control of the Assistant Secretary of Defense for Health Affairs, the Deputy Assistant Secretary shall be responsible for all matters relating to dental affairs within the Office of the Assistant Secretary of Defense for Health Affairs."

(b) Until otherwise provided by operation of law, the individual holding office as the Deputy Assistant Secretary of Defense (Health and Medical) on the effective date of this section shall perform the duties of the office of the Assistant Secretary of Defense for Health Affairs established by this section.

Mr. STENNIS. Mr. President, I move that the Senate disagree to the amendments of the House and request a conference with the House on the disagreeing votes of the two Houses, and that the Chair appoint the conferees on the part of the Senate.

Mr. President, this is the military authorization bill.

The motion was agreed to; and the Presiding Officer appointed Mr. STENNIS, Mr. SYMINGTON, Mr. JACKSON, Mrs. SMITH, and Mr. THURMOND conferees on the part of the Senate.

COLORADO RIVER BASIN PROJECT ACT

Mr. JACKSON. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 1004.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1004) to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes, which was, strike out all after the enacting clause, and insert:

TITLE I—COLORADO RIVER BASIN PROJECT: OBJECTIVES

SEC. 101. That this Act may be cited as the "Colorado River Basin Project Act".

SEC. 102. (a) It is the object of this Act to provide a program for the further comprehensive development of the water resources of the Colorado River Basin and for the provision of additional and adequate water supplies for use in the upper as well as in the lower Colorado River Basin. This program is declared to be for the purposes among others, of regulating the flow of the Colorado River; controlling floods; improving navigation; providing for the storage and delivery of the waters of the Colorado River for reclamation of land, including supplemental water supplies, and for municipal, industrial, and other beneficial purposes; improving water quality; providing for basic public outdoor recreation facilities; improving conditions for fish and wildlife, and the generation and sale of electrical power as an incident of the foregoing purposes.

(b) It is the policy of the Congress that the Secretary of the Interior (hereinafter referred to as the "Secretary") shall continue to develop, after consultation with affected States and appropriate Federal agencies, a

regional water plan, consistent with the provisions of this Act and with future authorizations, to serve as the framework under which projects in the Colorado River Basin may be coordinated and constructed with proper timing to the end that an adequate supply of water may be made available for such projects, whether heretofore, herein, or hereafter authorized.

TITLE II—INVESTIGATIONS AND PLANNING

SEC. 201. (a) The Water Resources Council, acting in accordance with the procedure prescribed in section 103 of the Water Resources Planning Act (79 Stat. 244), shall within one year following the effective date of this Act establish principles, standards, and procedures for the program of investigations and submittal of plans and reports authorized by this title. The Secretary, in conformity with the principles, standards, and procedures so established, is authorized and directed to—

(1) prepare estimates of the long-range water supply available for consumptive use in the Colorado River Basin, of current water requirements therein, and of the rate of growth of water requirements therein to at least the year 2030;

(2) investigate and recommend sources and means of supplying water to meet the current and anticipated water requirements of the Colorado River Basin, either directly or by exchange, including reductions in losses, importations from sources outside the natural drainage basin of the Colorado River system, desalination, weather modification, and other means: *Provided*, That the Secretary shall not, under the authority of this clause or anything in this Act contained, make any recommendation for importing water into the Colorado River system from other river basins without the approval of those States which will be affected by such exportation, said approval to be obtained in a manner consistent with the procedure and criteria established by section 1 of the Flood Control Act of 1944 (58 Stat. 887);

(3) undertake investigations, in cooperation with other concerned agencies, of means for maintaining an adequate water quality throughout the Colorado River Basin;

(4) investigate means of providing for prudent water conservation practices to permit maximum beneficial utilization of available water supplies in the Colorado River Basin;

(5) investigate and prepare estimates of the long-range water supply in States and areas from which water could be imported into the Colorado River system, together with estimates and plans to satisfy the probable ultimate requirements for water within such States and areas of origin for all purposes, including but not limited to consumptive use, navigation, river regulation, power, enhancement of fishery resources, pollution control, and disposal of wastes to the ocean, and estimates of the quantities of water, if any, that will be available in excess of such requirements.

(b) The Secretary is authorized and directed to prepare reconnaissance reports covering the matters set out in subsection (a) of this section, and such reports shall be submitted to the President and to the Congress not later than June 30, 1973, and, as revised and updated, every five years thereafter. For the purpose of providing for the repayment of the reimbursable costs of any projects covered by such reports, the Secretary shall take into account such assistance as may be available to the States of the Upper Division from the Upper Colorado River Basin Fund (70 Stat. 107), and to the States of the Lower Division from the development fund established by section 403 of this Act.

(c) On the basis of the investigations and studies performed pursuant to this section, and subject to the provisions of subsection

(a) (2) and section 203 hereof, the Secretary shall prepare a feasibility report on a plan which shows the most economical means of augmenting the water supply available in the Colorado River below Lee Ferry by two and one-half million acre-feet annually. The recommended plan may include the construction of works and facilities by such successive stages as are estimated to be necessary to alleviate critical water shortages as they occur. The report prepared pursuant to this subsection, along with comments of the affected States and appropriate Federal agencies thereon, shall be submitted to the Congress on or before January 1, 1975.

Sec. 202. The Congress declares that the satisfaction of the requirements of the Mexican Water Treaty from the Colorado River constitutes a national obligation which shall be the first obligation of any water augmentation project planned pursuant to section 201 of this Act and authorized by the Congress. Accordingly, the States of the Upper Division (Colorado, New Mexico, Utah, and Wyoming) and the States of the Lower Division (Arizona, California, and Nevada) shall be relieved from all obligations which may have been imposed upon them by article III(c) of the Colorado River Compact so long as the Secretary shall determine and proclaim that means are available and in operation which augment the water supply of the Colorado River system in such quantity as to satisfy the requirements of the Mexican Water Treaty together with any losses of water associated with the performance of that treaty. Provided, That the satisfaction of the requirements of the Mexican Water Treaty (Treaty Series 994, 59 Stat. 1219), shall be from the waters of the Colorado River pursuant to the treaties, laws, and compacts presently relating thereto, until such time as a feasibility plan showing the most economical means of augmenting the water supply available in the Colorado River below Lee Ferry by two and one-half million acre-feet shall be authorized by the Congress.

Sec. 203. (a) In the event that the Secretary shall, pursuant to section 201(a) (2) and 201(c), plan works to import water into the Colorado River system from sources outside the natural drainage areas of the system, he shall make provision for adequate and equitable protection of the interests of the States and areas of origin, including assistance from funds specified in section 201(b) of this Act, to the end that water supplies may be available for use in such States and areas of origin adequate to satisfy their ultimate requirements at prices to users not adversely affected by the exportation of water to the Colorado River system.

(b) All requirements, present or future, for water within any State lying wholly or in part within the drainage area of any river basin from which water is exported by works planned pursuant to this Act shall have a priority of right in perpetuity to the use of the waters of that river basin, for all purposes, as against the uses of the water delivered by means of such exportation works, unless otherwise provided by interstate agreement.

Sec. 204. The Secretary shall submit annually to the President and the Congress reports covering progress on the investigations and reports authorized by this title.

Sec. 205. There are hereby authorized to be appropriated such sums as are required to carry out the purposes of this title.

TITLE III—AUTHORIZED UNITS: PROTECTION OF EXISTING USES

Sec. 301. (a) For the purposes of furnishing irrigation water and municipal water supplies to the water-deficient areas of Arizona and western New Mexico through direct diversion or exchange of water, control of floods, conservation and development of fish and wildlife resources, enhancement of recreation opportunities, and for other pur-

poses, the Secretary shall construct, operate, and maintain the Central Arizona Project, consisting of the following principal works: (1) a system of main conduits and canals, including a main canal and pumping plants (Granite Reef aqueduct and pumping plants), for diverting and carrying water from Lake Havasu to Orme Dam or suitable alternative, which system shall have a capacity of not to exceed two thousand five hundred cubic feet per second; (2) Orme Dam and Reservoir and power-pumping plant or suitable alternative; (3) Buttes Dam and Reservoir, which shall be so operated as not to prejudice the rights of any user in and to the waters of the Gila River as those rights are set forth in the decree entered by the United States District Court for the District of Arizona on June 29, 1935, in United States against Gila Valley Irrigation District and others (Globe Equity Numbered 59); (4) Hooker Dam and Reservoir or suitable alternative, which shall be constructed in such a manner as to give effect to the provisions of subsection (f) of section 304; (5) Charleston Dam and Reservoir; (6) Tucson aqueducts and pumping plants; (7) Salt-Gila aqueduct; (8) related canals, regulating facilities, hydroelectric powerplants, and electrical transmission facilities required for the operation of said principal works; (9) related water distribution and drainage works; and (10) appurtenant works.

(b) Article II(B) (3) of the decree of the Supreme Court of the United States in Arizona against California (376 U.S. 340) shall be so administered that in any year in which, as determined by the Secretary, there is insufficient main stream Colorado River water available for release to satisfy annual consumptive use of seven million five hundred thousand acre-feet in Arizona, California, and Nevada, diversions from the main stream for the Central Arizona Project shall be so limited as to assure the availability of water in quantities sufficient to provide for the aggregate annual consumptive use by holders of present perfected rights, by other users in the State of California served under existing contracts with the United States by diversion works heretofore constructed, and by other existing Federal reservations in that State, of four million four hundred thousand acre-feet of mainstream water, and by users of the same character in Arizona and Nevada. Water users in the State of Nevada shall not be required to bear shortages in any proportion greater than would have been imposed in the absence of this subsection 301(b). This subsection shall not affect the relative priorities, among themselves, of water users in Arizona, Nevada, and California which are senior to diversions for the Central Arizona Project, or amend any provisions of said decree.

(c) The limitation stated in subsection (b) of this section shall not apply so long as the Secretary shall determine and proclaim that means are available and in operation which augment the water supply of the Colorado River system in such quantity as to make sufficient mainstream water available for release to satisfy annual consumptive use of seven million five hundred thousand acre-feet in Arizona, California, and Nevada.

Sec. 302. (a) The Secretary shall designate the lands of the Salt River Pima-Maricopa Indian Community, Arizona, and the Fort McDowell-Apache Indian Community, Arizona, or interests therein, and any allotted lands or interests therein within said communities which he determines are necessary for use and occupancy by the United States for the construction, operation, and maintenance of Orme Dam and Reservoir, or alternative. The Secretary shall offer to pay the fair market value of the lands and interests designated, inclusive of improvements. In addition, the Secretary shall offer to pay toward the cost of relocating or replacing such

improvements not to exceed \$500,000 in the aggregate, and the amount offered for the actual relocation or replacement of a residence shall not exceed the difference between the fair market value of the residence and \$8,000. Each community and each affected allottee shall have six months in which to accept or reject the Secretary's offer. If the Secretary's offer is rejected, the United States may proceed to acquire the property interests involved through eminent domain proceedings in the United States District Court for the District of Arizona under 40 U.S.C., sections 257 and 258a. Upon acceptance in writing of the Secretary's offer, or upon the filing of a declaration of taking in eminent domain proceedings, title to the lands or interests involved, and the right to possession thereof, shall vest in the United States. Upon a determination by the Secretary that all or any part of such lands or interests are no longer necessary for the purpose for which acquired, title to such lands or interests shall be restored to the appropriate community.

(b) Title to any land or easement acquired pursuant to this section shall be subject to the right of the former owner to use or lease the land for purposes not inconsistent with the construction, operation, and maintenance of the project, as determined by, and under terms and conditions prescribed by, the Secretary. Such right shall include the right to extract and dispose of minerals. The determination of fair market value under subsection (a) shall reflect the right to extract and dispose of minerals but not the other uses permitted by this subsection.

(c) In view of the fact that a substantial portion of the lands of the Fort McDowell Mohave-Apache Indian Community will be required for Orme Dam and Reservoir, or alternative, the Secretary shall, in addition to the compensation provided for in subsection (a) of this section, designate and add to the Fort McDowell Indian Reservation twenty-five hundred acres of suitable lands in the vicinity of the reservation that are under the jurisdiction of the Department of the Interior in township 4 north, range 7, east; township 5 north, range 7 east; and township 3 north, range 7 east, Gila and Salt River base meridian, Arizona. Title to lands so added to the reservation shall be held by the United States in trust for the Fort McDowell Mohave-Apache Indian Community.

(d) Each community shall have a right, in accordance with plans approved by the Secretary, to develop and operate recreational facilities along the part of the shoreline of the Orme Reservoir located on or adjacent to its reservation, including land added to the Fort McDowell Reservation as provided in subsection (b) of this section, subject to rules and regulations prescribed by the Secretary governing the recreation development of the reservoir. Recreation development of the entire reservoir and federally owned lands under the jurisdiction of the Secretary adjacent thereto shall be in accordance with a master recreation plan approved by the Secretary. Each community and the members thereof shall have non-exclusive personal rights to hunt and fish on the reservoir, to the same extent they are now authorized to hunt and fish, without charge, but shall have no right to exclude others from the reservoir except by control of access through their reservations, or any right to require payments by the public except for the use of community lands or facilities.

(e) All funds paid pursuant to this section, and any per capita distribution thereof, shall be exempt from all forms of State and Federal income taxes.

Sec. 303. (a) The Secretary is authorized and directed to continue to a conclusion appropriate engineering and economic studies

and to recommend the most feasible plan for the construction and operation of hydroelectric generating and transmission facilities, the purchase of electrical energy, the purchase of entitlement to electrical plant capacity, or any combination thereof, including participation, operation, or construction by non-Federal entities, for the purpose of supplying the power requirements of the Central Arizona Project and augmenting the Lower Colorado River Basin Fund: *Provided*, That nothing in this section or in this Act contained shall be construed to authorize the study or construction of any dams on the main stream of the Colorado River between Hoover Dam and Glen Canyon Dam.

(b) If included as a part of the recommended plan, the Secretary may enter into an agreement with non-Federal interests proposing to construct a thermal generating powerplant whereby the United States shall acquire the right to such portion of the capacity of such plant, including delivery of power and energy over appurtenant transmission facilities to mutually agreed upon delivery points, as he determines is required in connection with the operation of the Central Arizona Project. When not required for the Central Arizona Project, the power and energy acquired by such agreement may be disposed of intermittently by the Secretary for other purposes at such prices as he may determine, including its marketing in conjunction with the sale of power and energy from Federal powerplants in the Colorado River system so as to produce the greatest practicable amount of power and energy that can be sold at firm power and energy rates. The agreement shall provide, among other things, that—

(1) the United States shall pay not more than that portion of the total construction cost, exclusive of interest during construction, of the powerplant, and of any switchyards and transmission facilities serving the United States, as is represented by the ratios of the respective capacities to be provided for the United States therein to the total capacities of such facilities. The Secretary shall make the Federal portion of such costs available to the non-Federal interests during the construction period, including the period of preparation of designs and specifications, in such installments as will facilitate a timely construction schedule, but no funds other than for preconstruction activities shall be made available by the Secretary until he determines that adequate contracts have been entered into between all the affected parties covering land, water, fuel supplies, power (its availability and use), rights-of-way, transmission facilities and all other necessary matters for the thermal generating powerplant;

(2) annual operation and maintenance costs, including provisions for depreciation (except as to depreciation on the pro rata share of the construction cost borne by the United States in accordance with the foregoing clause (1)), shall be apportioned between the United States and the non-Federal interests on an equitable basis taking into account the ratios determined in accordance with the foregoing clause (1);

(3) the United States shall be given appropriate credit for any interests in Federal lands administered by the Department of the Interior that are made available for the powerplant and appurtenances;

(4) costs to be borne by the United States under clauses (1) and (2) shall not include (a) interest and interest during construction, (b) financing charges, (c) franchise fees, and (d) such other costs as shall be specified in the agreement.

(c) No later than one year from the effective date of this Act, the Secretary shall submit his recommended plan to the Congress. Except as authorized by subsection (b) of

this section, such plan shall not become effective until approved by the Congress.

(d) If the thermal generating plant referred to in subsection (b) of this section is located in Arizona, and if it is served by water diverted from the drainage area of the Colorado River system above Lee Ferry, other provisions of existing law to the contrary notwithstanding, such consumptive use of water shall be a part of the fifty thousand acre-feet per annum apportioned to the State of Arizona by article III (a) of the Upper Colorado River Basin Compact (63 Stat. 31).

SEC. 304. (a) Unless and until otherwise provided by Congress, water from the Central Arizona Project shall not be made available directly or indirectly for the irrigation of lands not having a recent irrigation history as determined by the Secretary, except in the case of Indian lands, national wildlife refuges and, with the approval of the Secretary, State-administered wildlife management areas.

(b) (1) Irrigation and municipal and industrial water supply under the Central Arizona Project within the State of Arizona may, in the event the Secretary determines that it is necessary to effect repayment, be pursuant to master contracts with organizations which have power to levy assessments against all taxable real property within their boundaries. The terms and conditions of contracts or other arrangements whereby each such organization makes water from the Central Arizona Project available to users within its boundaries shall be subject to the Secretary's approval, and the United States shall, if the Secretary determines such action is desirable to facilitate carrying out the provisions of this Act, have the right to require that it be a party to such contracts or that contracts subsidiary to the master contracts be entered into between the United States and any user. The provisions of this clause (1) shall not apply to the supplying of water to an Indian tribe for use within the boundaries of an Indian reservation.

(2) Any obligation assumed pursuant to section 9(d) of the Reclamation Project Act of 1939 (43 U.S.C. 485h (d)) with respect to any project contract unit or irrigation block shall be repaid over a basic period of not more than fifty years; any water service provided pursuant to section 9(e) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(e)) may be on the basis of delivery of water for a period of fifty years and for the delivery of such water at an identical price per acre-foot for water of the same class at the several points of delivery from the main canals and conduits and from such other points of delivery as the Secretary may designate; and long-term contracts relating to irrigation water supply shall provide that water made available thereunder may be made available by the Secretary for municipal or industrial purposes if and to the extent that such water is not required by the contractor for irrigation purposes.

(3) Contracts relating to municipal and industrial water supply under the Central Arizona Project may be made without regard to the limitations of the last sentence of section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)); may provide for the delivery of such water at an identical price per acre-foot for water of the same class at the several points of delivery from the main canals and conduits; and may provide for repayment over a period of fifty years if made pursuant to clause (1) of said section and for the delivery of water over a period of fifty years if made pursuant to clause (2) thereof.

(c) Each contract under which water is provided under the Central Arizona Project shall require that (1) there be in effect measures, adequate in the judgment of the Secretary, to control expansion of irrigation

from aquifers affected by irrigation in the contract service area; (2) the canals and distribution systems through which water is conveyed after its delivery by the United States to the contractors shall be provided and maintained with linings adequate in his judgment to prevent excessive conveyance losses; and (3) neither the contractor nor the Secretary shall pump or permit others to pump ground water from within the exterior boundaries of the service area of a contractor receiving water from the Central Arizona Project for any use outside said contractor's service area unless the Secretary and such contractor shall agree, or shall have previously agreed, that a surplus of ground water exists and that drainage is or was required. Such contracts shall be subordinate at all times to the satisfaction of all existing contracts between the Secretary and users in Arizona heretofore made pursuant to the Boulder Canyon Project Act (45 Stat. 1057).

(d) The Secretary may require in any contract under which water is provided from the Central Arizona Project that the Contractor agree to accept mainstream water in exchange for or in replacement of existing supplies from sources other than the main stream. The Secretary shall so require in the case of users in Arizona who also use water from the Gila River system to the extent necessary to make available to users of water from the Gila River system in New Mexico additional quantities of water as provided in and under the conditions specified in subsection (f) of this section: *Provided*, That such exchanges and replacements shall be accomplished without economic injury or cost to such Arizona contractors.

(e) In times of shortage or reduction of main-stream Colorado River water for the Central Arizona Project, as determined by the Secretary, users which have yielded water from other sources in exchange for main-stream water supplied by that project shall have a first priority to receive main-stream water, as against other users supplied by that project which have not so yielded water from other sources, but only in quantities adequate to replace the water so yielded.

(f) (1) In the operation of the Central Arizona Project, the Secretary shall offer to contract with water users in New Mexico for water from the Gila River, its tributaries and underground water sources in amounts that will permit consumptive uses of water in New Mexico of not to exceed an annual average in any period of ten consecutive years of eighteen thousand acre-feet, including reservoir evaporation, over and above the consumptive uses provided for by article IV of the decree of the Supreme Court of the United States in Arizona against California (376 U.S. 340). Such increased consumptive uses shall not begin until, and shall continue only so long as, delivery of Colorado River water to downstream Gila River users in Arizona is being accomplished in accordance with this Act, in quantities sufficient to replace any diminution of their supply resulting from such diversions from the Gila River, its tributaries, and underground water sources. In determining the amount required for this purpose full consideration shall be given to any differences in the quality of the waters involved.

(2) The Secretary shall further offer to contract with water users in New Mexico for water from the Gila River, its tributaries, and underground water sources in amounts that will permit consumptive uses of water in New Mexico of not to exceed an annual average in any period of ten consecutive years of an additional thirty thousand acre-feet, including reservoir evaporation. Such further increases in consumptive use shall not begin until, and shall continue only so long as, works capable of augmenting the

water supply of the Colorado River system have been completed and water sufficiently in excess of two million eight hundred thousand acre-feet per annum is available from the main stream of the Colorado River for consumptive use in Arizona to provide water for the exchanges herein authorized and provided. In determining the amount required for this purpose, full consideration shall be given to any differences in the quality of the waters involved.

(3) All additional consumptive uses provided for in clauses (1) and (2) of this subsection shall be subject to all rights in New Mexico and Arizona as established by the decree entered by the United States District Court for the District of Arizona on June 29, 1935, in United States against Gila Valley Irrigation District and others (Globe Equity Numbered 59) and to all other rights existing on the effective date of this Act in New Mexico and Arizona to water from the Gila River, its tributaries, and underground water sources and shall be junior thereto and shall be made only to the extent possible without economic injury or cost to the holders of such rights.

SEC. 305. To the extent that the flow of the main stream of the Colorado River is augmented in order to make sufficient water available for release, as determined by the Secretary pursuant to article II(b)(1) of the decree of the Supreme Court of the United States in Arizona against California (376 U.S. 340), to satisfy annual consumptive use of two million eight hundred thousand acre-feet in Arizona, four million four hundred thousand acre-feet in California, and three hundred thousand acre-feet in Nevada, respectively, the Secretary shall make such water available to users of main-stream water in those States at the same costs (to the extent that such costs can be made comparable through the nonreimbursable allocation to the replenishment of the deficiencies occasioned by satisfaction of the Mexican Treaty burden as herein provided and financial assistance from the development fund established by section 403 of this Act) and on the same terms as would be applicable if main-stream water were available for release in the quantities required to supply such consumptive use.

SEC. 306. The Secretary shall undertake programs for water salvage and ground water recovery along and adjacent to the main stream of the Colorado River. Such programs shall be consistent with maintenance of a reasonable degree of undisturbed habitat for fish and wildlife in the area, as determined by the Secretary.

SEC. 307. The Dixie Project, heretofore authorized in the State of Utah, is hereby reauthorized for construction at the site determined feasible by the Secretary, and the Secretary shall integrate such project into the repayment arrangement and participation in the Lower Colorado River Basin Development Fund established by title IV of this Act consistent with the provisions of the Act: *Provided*, That section 8 of Public Law 88-565 (78 Stat. 848) is hereby amended by deleting the figure "\$42,700,000" and inserting in lieu thereof the figure "\$58,000,000".

SEC. 308. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the project works authorized pursuant to this title shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213), except as provided in section 302 of this Act.

SEC. 309. (a) There is hereby authorized to be appropriated for construction of the Central Arizona Project, including prepayment for power generation and transmission facilities but exclusive of distribution and drainage facilities for non-Indian lands,

\$779,000,000 plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indices applicable to the types of construction involved here and, in addition thereto, such sums as may be required for operation and maintenance of the project.

(b) There is also authorized to be appropriated \$100,000,000 for construction of distribution and drainage facilities for non-Indian lands. Notwithstanding the provisions of section 403 of this Act, neither appropriations made pursuant to the authorization contained in this subsection (b) nor revenues collected in connection with the operation of such facilities shall be credited to the Lower Colorado River Basin Development Fund and payments shall not be made from that fund to the general fund of the Treasury to return any part of the costs of construction, operation, and maintenance of such facilities.

TITLE IV—LOWER COLORADO RIVER BASIN DEVELOPMENT FUND: ALLOCATION AND REPAYMENT OF COSTS: CONTRACTS

SEC. 401. Upon completion of each lower basin unit of the project herein or hereafter authorized, or separate feature thereof, the Secretary shall allocate the total costs of constructing said unit or features to (1) commercial power, (2) irrigation, (3) municipal and industrial water supply, (4) flood control, (5) navigation, (6) water quality control, (7) recreation, (8) fish and wildlife, (9) the replenishment of the depletion of Colorado River flows available for use in the United States occasioned by performance of the Water Treaty of 1944 with the United Mexican States (Treaty Series 994), and (10) any other purposes authorized under the Federal reclamation laws. Costs of construction, operation, and maintenance allocated to the replenishment of the depletion of Colorado River flows available for use in the United States occasioned by compliance with the Mexican Water Treaty (including losses in transit, evaporation from regulatory reservoirs, and regulatory losses at the Mexican boundary, incurred in the transportation, storage, and delivery of water in discharge of the obligations of that treaty) shall be nonreimbursable. The repayment of costs allocated to recreation and fish and wildlife enhancement shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213): *Provided*, That all of the separable and joint costs allocated to recreation and fish and wildlife enhancement as a part of the Dixie project, Utah, shall be nonreimbursable. Costs allocated to nonreimbursable purposes shall be nonreturnable under the provisions of this Act.

SEC. 402. The Secretary shall determine the repayment capability of Indian lands within, under, or served by any unit of the project. Construction costs allocated to irrigation of Indian lands (including provision of water for incidental domestic and stock water uses) and within the repayment capability of such lands shall be subject to the Act of July 1, 1932 (47 Stat. 464), and such costs that are beyond repayment capability of such lands shall be nonreimbursable.

SEC. 403. (a) There is hereby established a separate fund in the Treasury of the United States to be known as the Lower Colorado River Basin Development Fund (hereinafter called the "development fund"), which shall remain available until expended as herein-after provided.

(b) All appropriations made for the purpose of carrying out the provisions of title III of this Act shall be credited to the development fund as advances from the general fund of the Treasury, and shall be available for such purpose.

(c) There shall also be credited to the development fund—

(1) All revenues collected in connection with the operation of facilities authorized in title III in furtherance of the purposes of this Act (except entrance, admission, and other recreation fees or charges and proceeds received from recreation concessionaires), including revenues which, after completion of payout of the Central Arizona Project as required herein are surplus, as determined by the Secretary, to the operation, maintenance, and replacement requirements of said project; and

(2) any Federal revenues from the Boulder Canyon and Parker-Davis projects which, after completion of repayment requirements of the said Boulder Canyon and Parker-Davis projects, are surplus, as determined by the Secretary, to the operation, maintenance, and replacement requirements of those projects: *Provided, however*, That the Secretary is authorized and directed to continue the in-lieu-of-tax payments to the States of Arizona and Nevada provided for in section 2(c) of the Boulder Canyon Project Adjustment Act so long as revenues accrue from the operation of the Boulder Canyon project; and

(3) any Federal revenues from that portion of the Pacific Northwest-Pacific Southwest intertie located in the States of Nevada and Arizona which, after completion of repayment requirements of the said part of the Pacific Northwest-Pacific Southwest intertie located in the States of Nevada and Arizona, are surplus, as determined by the Secretary, to the operation, maintenance, and replacement requirements of said portion of the Pacific Northwest-Pacific Southwest intertie and related facilities.

(d) All moneys collected and accredited to the development fund pursuant to subsection (b) and clauses (1) and (3) of subsection (c) of this section and the portion of revenues derived from the sale of power and energy for use in Arizona pursuant to clause (2) of subsection (c) of this section shall be available, without further appropriation for—

(1) defraying the costs of operation, maintenance, and replacements of, and emergency expenditures for, all facilities of the projects, within such separate limitations as may be included in annual appropriation Acts; and

(2) payments to reimburse water users in the State of Arizona for losses sustained as a result of diminution of the production of hydroelectric power at Coolidge Dam, Arizona, resulting from exchanges of water between users in the States of Arizona and New Mexico as set forth in section 304(f) of this Act.

(e) Revenues credited to the development fund shall not be available for construction of the works comprised within any unit of the project herein or hereafter authorized except upon appropriation by the Congress.

(f) Moneys credited to the development fund pursuant to subsection (b) and clauses (1) and (3) of subsection (c) of this section and the portion of revenues derived from the sale of power and energy for use in Arizona pursuant to clause (2) of subsection (c) of this section in excess of the amount necessary to meet the requirements of clauses (1), and (2) of subsection (d) of this section shall be paid annually to the general fund of the Treasury to return—

(1) the costs of each unit of the projects or separable feature thereof authorized pursuant to title III of this Act, which are allocated to irrigation, commercial power, or municipal and industrial water supply, pursuant to this Act within a period of not exceeding fifty years from the date of completion of each such unit or separable feature, exclusive of any development period authorized by law: *Provided*, That return of the cost, if any, required by section 307 shall not be made until after the payout period of

the Central Arizona Project as authorized herein;

(2) interest (including interest during construction) on the unamortized balance of the investment in the commercial power and municipal and industrial water supply features of the project at a rate determined by the Secretary of the Treasury in accordance with the provisions of subsection (h) of this section, and interest due shall be a first charge.

(g) All revenues credited to the development fund in accordance with clause (c) (2) of this section (excluding only those revenues derived from the sale of power and energy for use in Arizona during the payout period of the Central Arizona Project as authorized herein) and such other revenues as remain in the development fund after making the payments required by subsections (d) and (f) of this section shall be available (1) to make payments, if any, as required by sections 307 and 502 of this Act, and (2), upon appropriation by the Congress, to assist in the repayment of reimbursable costs incurred in connection with units hereafter constructed to provide for the augmentation of the water supplies of the Colorado River for use below Lee Ferry as may be authorized as a result of the investigations and recommendations made pursuant to clause 201(a) (2) and subsection 203(a) of this Act.

(h) The interest rate applicable to those portions of the reimbursable costs of each unit of the project which are properly allocated to commercial power development and municipal and industrial water supply shall be determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which the first advance is made for initiating construction of such unit, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations which are neither due nor callable for redemption for fifteen years from the date of issue.

(i) Business-type budgets shall be submitted to the Congress annually for all operations financed by the development fund.

SEC. 404. On January 1 of each year the Secretary shall report to the Congress beginning with the fiscal year ending June 30, 1969, upon the status of the revenues from and the cost of constructing, operating, and maintaining each lower basin unit of the project for the preceding fiscal year. The report of the Secretary shall be prepared to reflect accurately the Federal investment allocated at that time to power, to irrigation, and to other purposes, the progress of return and repayment thereon, and the estimated rate of progress, year by year, in accomplishing full repayment.

TITLE V—UPPER COLORADO RIVER BASIN AUTHORIZATION AND REIMBURSEMENTS

SEC. 501. (a) In order to provide for the construction, operation, and maintenance of the Animas-La Plata Federal reclamation project, Colorado-New Mexico; the Dolores, Dallas Creek, West Divide, and San Miguel Federal reclamation projects, Colorado; and the Central Utah project (Uintah unit), Utah, as participating projects under the Colorado River Storage Project Act (70 Stat. 105; 43 U.S.C. 620), and to provide for the completion of planning reports on other participating projects, clause (2) of section 1 of said Act is hereby further amended by (i) inserting the words "and the Uintah unit" after the word "phase" within the parentheses following "Central Utah", (ii) deleting the words "Pine River Extension" and inserting in lieu thereof the words "Animas-La Plata, Dolores, Dallas Creek, West Divide San Miguel", (iii) adding after the words "Smith Fork:" the proviso "Provided, That construction of the Uintah unit of the Cen-

tral Utah project shall not be undertaken by the Secretary until he has completed a feasibility report on such unit and submitted such report to the Congress along with his certification that, in his judgment, the benefits of such unit or segment will exceed the costs and that such unit is physically and financially feasible." Section 2 of said Act is hereby further amended by (i) deleting the words "Parshall, Troublesome, Rabbit Ear, San Miguel, West Divide, Tomichi Creek, East River, Ohio Creek, Dallas Creek, Dolores, Fruit Growers Extension, Animas-La Plata", and inserting after the words "Yellow Jacket" the words "Basalt, Middle Park (including the Troublesome, Rabbit Ear, and Azure units), Upper Gunnison (including the East River, Ohio Creek, and Tomichi Creek units, Lower Yampa (including the Juniper and Great Northern units), Upper Yampa (including the Hayden Mesa, Wessels, and Toponas units)"; (ii) by inserting after the word "Sublette" the words "(including a diversion of water from the Green River to the North Platte River Basin in Wyoming), Ute Indian unit of the Central Utah Project, San Juan County (Utah), Price River, Grand County (Utah), Gray Canyon and Juniper (Utah)"; and (iii) changing the period after "projects" to a colon and adding the following proviso: "Provided, That the planning report for the Ute Indian unit of the Central Utah participating project shall be completed on or before December 31, 1974, to enable the United States of America to meet the commitments heretofore made to the Ute Indian Tribe of the Uintah and Ouray Indian Reservation under the agreement dated September 20, 1965 (Contract Numbered 10-06-W-194)." . . . The amount which section 12 of said Act authorizes to be appropriated is hereby further increased by the sum of \$392,000,000, plus or minus such amounts, if any, as may be required, by reason of changes in construction costs as indicated by engineering cost indices applicable to the type of construction involved. This additional sum shall be available solely for the construction of the Animas-La Plata, Dolores, Dallas Creek, West Divide, and San Miguel projects herein authorized.

(b) The Secretary is directed to proceed as nearly as practicable with the construction of the Animas-La Plata, Dolores, Dallas Creek, West Divide, and San Miguel participating Federal reclamation projects concurrently with the construction of the Central Arizona Project, to the end that such projects shall be completed not later than the date of the first delivery of water from said Central Arizona Project: *Provided*, That an appropriate repayment contract for each of said participating projects shall have been executed as provided in section 4 of the Colorado River Storage Project Act (70 Stat. 107) before construction shall start on that particular project.

(c) The Animas-La Plata Federal reclamation project shall be constructed and operated in substantial accordance with the engineering plans set out in the report of the Secretary transmitted to the Congress on May 4, 1966, and printed as House Document 436, Eighty-ninth Congress: *Provided*, That construction of the Animas-La Plata Federal reclamation project shall not be undertaken until and unless the States of Colorado and New Mexico shall have ratified the following compact to which the consent of Congress is hereby given:

"ANIMAS-LA PLATA PROJECT COMPACT"

"The State of Colorado and the State of New Mexico, in order to implement the operation of the Animas-La Plata Federal Reclamation Project, Colorado-New Mexico, a proposed participating project under the Colorado River Storage Project Act (70 Stat. 105), and being moved by considerations of interstate comity, have resolved to conclude

a compact for these purposes and have agreed upon the following articles:

"ARTICLE I"

"A. The right to store and divert water in Colorado and New Mexico from the La Plata and Animas River systems, including return flow to the La Plata River from Animas River diversions, for uses in New Mexico under the Animas-La Plata Federal Reclamation Project shall be valid and of equal priority with those rights granted by decree of the Colorado State courts for the uses of water in Colorado for that project, providing such uses in New Mexico are within the allocation of water made to that state by articles III and XIV of the Upper Colorado River Basin Compact (63 Stat. 31).

"B. The restrictions of the last sentence of Section (a) of Article IX of the Upper Colorado River Basin Compact shall not be construed to vitiate paragraph A of this article.

"ARTICLE II"

"This Compact shall become binding and obligatory when it shall have been ratified by the legislatures of each of the signatory States."

(d) The Secretary shall, for the Animas-La Plata, Dolores, Dallas Creek, San Miguel, West Divide, and Seedskadee participating projects of the Colorado River storage project, establish the nonexcess irrigable acreage for which any single ownership may receive project water at one hundred and sixty acres of class 1 land or the equivalent thereof, as determined by the Secretary, in other land classes.

(e) In the diversion and storage of water for any project or any parts thereof constructed under the authority of this Act or the Colorado River Storage Project Act within and for the benefit of the State of Colorado only, the Secretary is directed to comply with the constitution and statutes of the State of Colorado relating to priority of appropriation; with State and Federal court decrees entered pursuant thereto; and with operating principles, if any, adopted by the Secretary and approved by the State of Colorado.

(f) The words "any western slope appropriations" contained in paragraph (i) of that section of Senate Document Numbered 80, Seventy-fifth Congress, first session, entitled "Manner of Operation of Project Facilities and Auxiliary Features", shall mean and refer to the appropriation heretofore made for the storage of water in Green Mountain Reservoir, a unit of the Colorado-Big Thompson Federal reclamation project, Colorado; and the Secretary is directed to act in accordance with such meaning and reference. It is the sense of Congress that this directive defines and observes the purpose of said paragraph (i), and does not in any way affect or alter any rights or obligations arising under said Senate Document Numbered 80 or under the laws of the State of Colorado.

SEC. 502. The Upper Colorado River Basin Fund established under section 5 of the Act of April 11, 1956 (70 Stat. 107), shall be reimbursed from the Colorado River Development Fund established by section 2 of the Boulder Canyon Project Adjustment Act (54 Stat. 755) for the money expended heretofore or hereafter from the Upper Colorado River Basin Fund to meet deficiencies in generation at Hoover Dam during the filling period of storage units of the Colorado River storage project pursuant to the criteria for the filling of Glen Canyon Reservoir (27 Fed. Reg. 6851, July 19, 1962). For this purpose, \$500,000 for each year of operation of Hoover Dam and powerplant, commencing with the enactment of this Act, shall be transferred from the Colorado River Development Fund to the Upper Colorado River Basin Fund, in lieu of application of said amounts to the purposes stated in section 2(d) of the

Boulder Canyon Project Adjustment Act, until such reimbursement is accomplished. To the extent that any deficiency in such reimbursement remains as of June 1, 1967, the amount of the remaining deficiency shall then be transferred to the Upper Colorado River Basin Fund from the Lower Colorado River Basin Development Fund, as provided in subsection (g) of section 403.

TITLE VI—GENERAL PROVISIONS: DEFINITIONS: CONDITIONS

Sec. 601. (a) Nothing in this Act shall be construed to alter, amend, repeal, modify, or be in conflict with the provisions of the Colorado River Compact (45 Stat. 1057), the Upper Colorado River Basin Compact (63 Stat. 31), the Water Treaty of 1944 with the United Mexican States (Treaty Series 994), the decree entered by the Supreme Court of the United States in Arizona against California, and others (376 U.S. 340), or, except as otherwise provided herein, the Boulder Canyon Project Act (45 Stat. 1057), the Boulder Canyon Project Adjustment Act (54 Stat. 774) or the Colorado River Storage Project Act (70 Stat. 1053).

(b) The Secretary is directed to—

(1) make reports as to the annual consumptive uses and losses of water from the Colorado River system after each successive five-year period, beginning with the five-year period starting on October 1, 1970. Such reports shall be prepared in consultation with the States of the lower basin individually and with the Upper Colorado River Commission, and shall be transmitted to the President, the Congress, and the Governors of each State signatory to the Colorado River Compact;

(2) condition all contracts for the delivery of water originating in the drainage basin of the Colorado River system upon the availability of water under the Colorado River Compact.

(c) All Federal officers and agencies are directed to comply with the applicable provisions of this Act, and of the laws, treaty, compacts, and decrees referred to in subsection (a) of this section, in the storage and release of water from all reservoirs and in the operation and maintenance of all facilities in the Colorado River system under the jurisdiction and supervision of the Secretary, and in the operation and maintenance of all works which may be authorized hereafter for the augmentation of the water supply of the Colorado River system. In the event of failure of any such officer or agency to so comply, any affected State may maintain an action to enforce the provisions of this section in the Supreme Court of the United States and consent is given to the joinder of the United States as a party in such suit or suits, as a defendant or otherwise.

Sec. 602. (a) In order to fully comply with and carry out the provisions of the Colorado River Compact, the Upper Colorado River Basin Compact, and the Mexican Water Treaty, the Secretary shall propose criteria for the coordinated long-range operation of the reservoirs constructed and operated under the authority of the Colorado River Storage Project Act, the Boulder Canyon Project Act, and the Boulder Canyon Project Adjustment Act. To effect in part the purposes expressed in this paragraph, the criteria shall make provision for the storage of water in storage units of the Colorado River Storage Project and releases of water from Lake Powell in the following listed order of priority:

(1) Releases to supply one-half the deficiency described in article III(c) of the Colorado River Compact, if any such deficiency exists and is chargeable to the States of the Upper Division, but in any event such releases, if any, shall not be required in any year that the Secretary makes the determination and issues the proclamation specified in section 202 of this Act.

(2) Releases to comply with article III(d)

of the Colorado River Compact, less such quantities of water delivered into the Colorado River below Lee Ferry to the credit of the States of the Upper Division from other sources.

(3) Storage of water not required for the releases specified in clauses (1) and (2) of this subsection to the extent that the Secretary, after consultation with the Upper Colorado River Commission and representatives of the three Lower Division States and taking into consideration all relevant factors (including, but not limited to, historic streamflows, the most critical period of record, and probabilities of water supply), shall find this to be reasonably necessary to assure deliveries under clauses (1) and (2) without impairment of annual consumptive uses in the upper basin pursuant to the Colorado River Compact: *Provided*, That water not so required to be stored shall be released from Lake Powell: (i) to the extent it can be reasonably applied in the States of the Lower Division to the uses specified in article III(e) of the Colorado River Compact, but no such releases shall be made when the active storage in Lake Powell is less than the active storage in Lake Mead, (ii) to maintain, as nearly as practicable, active storage in Lake Mead equal to the active storage in Lake Powell, and (iii) to avoid anticipated spills from Lake Powell.

(b) Not later than January 1, 1970, the criteria proposed in accordance with the foregoing subsection (a) of this section shall be submitted to the Governors of the seven Colorado River Basin States and to such other parties and agencies as the Secretary may deem appropriate for their review and comment. After receipt of comments on the proposed criteria, but not later than July 1, 1970, the Secretary shall adopt appropriate criteria in accordance with this section and publish the same in the Federal Register. Beginning January 1, 1972, and yearly thereafter, the Secretary shall transmit to the Congress and to the Governors of the Colorado River Basin States a report describing the actual operation under the adopted criteria for the preceding compact water year and the projected operation for the current year. As a result of actual operating experience or unforeseen circumstances, the Secretary may thereafter modify the criteria to better achieve the purposes specified in subsection (a) of this section, but only after correspondence with the Governors of the seven Colorado River Basin States and appropriate consultation with such State representatives as each Governor may designate.

(c) Section 7 of the Colorado River Storage Project Act shall be administered in accordance with the foregoing criteria.

Sec. 603. (a) Rights of the upper basin to the consumptive use of water available to that basin from the Colorado River system under the Colorado River Compact shall not be reduced or prejudiced by any use of such water in the lower basin.

(b) Nothing in this Act shall be construed so as to impair, conflict with, or otherwise change the duties and powers of the Upper Colorado River Commission.

Sec. 604. Except as otherwise provided in this Act, in constructing, operating, and maintaining the units of the projects herein and hereafter authorized, the Secretary shall be governed by the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto) to which laws this Act shall be deemed a supplement.

Sec. 605. Part I of the Federal Power Act (41 Stat. 1063; 16 U.S.C. 791a-823) shall not be applicable to the reaches of the main stream of the Colorado River between Hoover Dam and Glen Canyon Dam until and unless otherwise provided by Congress.

Sec. 606. As used in this Act, (a) all terms which are defined in the Colorado River Com-

pact shall have the meanings therein defined;

(b) "Main stream" means the main stream of the Colorado River downstream from Lee Ferry, within the United States, including the reservoirs thereon;

(c) "User" or "water user" in relation to main-stream water in the lower basin means the United States or any person or legal entity entitled under the decree of the Supreme Court of the United States in Arizona against California, and others (376 U.S. 340) to use main-stream water when available thereunder.

(d) "Active storage" means that amount of water in reservoir storage, exclusive of bank storage, which can be released through the existing reservoir outlet works;

(e) "Colorado River Basin States" means the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming; and

(f) "Augment" or "augmentation", when used herein with reference to water, means to increase the supply of the Colorado River or its tributaries by the introduction of water into the Colorado River system, which is in addition to the natural supply of the system.

And amend the title so as to read: "An act to authorize the construction, operation, and maintenance of the Colorado River Basin project, and for other purposes."

Mr. JACKSON, Mr. President, I move that the Senate disagree to the amendment of the House and request a conference with the House on the disagreeing votes of the two Houses, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. JACKSON, Mr. ANDERSON, Mr. CHURCH, Mr. GRUENING, Mr. HAYDEN, Mr. KUCHEL, Mr. ALLOTT, and Mr. JORDAN of Idaho conferees on the part of the Senate.

Mr. MANSFIELD, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD, Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD, Mr. President, I ask unanimous consent that the Committee on Agriculture and Forestry may be authorized to meet during the session of the Senate on Wednesday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOCATIONAL EDUCATION AMENDMENTS OF 1968

The Senate resumed the consideration of the bill (H.R. 18366) to amend the Vocational Education Act of 1963, and for other purposes.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD, Mr. President, I ask unanimous consent that at the conclusion of the morning hour on Wednesday next, there be a time limitation of not to exceed 1 hour on any amendment, to

be equally divided between the mover of the amendment and the majority leader: Provided, that in the event the majority leader is in favor of any such amendment, the time in opposition thereto shall be controlled by the minority leader or a Senator designated by him; provided further, that on the amendment of the Senator from New York [Mr. JAVITS], the time be equally divided between the Senator from New York [Mr. JAVITS] and the Senator from Louisiana [Mr. ELLENDER], or by any Senators they may designate.

Mr. JAVITS. Mr. President, may I ask the majority leader what time he proposes to come in on Wednesday?

Mr. MANSFIELD. At 12 o'clock.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

The Chair hears none, and it is so ordered.

Mr. CLARK. Mr. President, would the Senator say a word about the Dominick amendment?

Mr. MANSFIELD. Mr. President, I understand that the distinguished Senator from Colorado [Mr. DOMINICK] is going to offer an amendment very shortly. It is my further understanding that the distinguished Senator from Pennsylvania [Mr. CLARK] will move at an appropriate time to table the Dominick amendment. So, it is quite possible—it is almost a certainty, I would say to my colleagues—that there will be one rollcall vote tonight.

Mr. CLARK. Mr. President, I am prepared also, in the event the motion to table fails—which I hope it will not—to agree that we should have a time limitation of 1 hour on the Dominick amendment and a vote on the amendment on Wednesday. But I am not prepared to vote tonight, except on the tabling motion.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. PASTORE. Mr. President, I think this is getting to be a little impossible. I do not know what the conference was all about, but 12 Senators were discussing the matter outside of the Chamber without the knowledge of the rest of us. And we have been sitting here, patiently waiting to see what was going to happen. If we are going to go over to Wednesday on the bill, why all the nonsense of having a vote on the motion to table and a vote on the substance of the amendment on Wednesday? Why do we not get a time limitation and go over until Wednesday, or come back tomorrow?

We are here at 7 o'clock tonight. We have been sitting here without any knowledge of what was going on. And there will be a motion to table, but the man who will make the motion to table has said that he does not want to vote on the substance of the amendment tonight.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. CLARK. Mr. President, I would be perfectly happy to have that done. That is what I have been urging.

Mr. PASTORE. We would not be wasting any time. We are coming back on

Wednesday. Let us get a time limitation and come back then.

Mr. DOMINICK. Mr. President, I have been sitting here waiting to get this thing decided, like everybody else.

I announced to the committee that I was going to offer an amendment, when the committee was in executive session. I have been ready to offer it, and I have been unable to do it because of the colloquy of the others. I do not know any reason why, as long as we are rushing for adjournment, we cannot get the thing settled today.

Mr. AIKEN. Mr. President, may I ask a question of whoever can answer it. We are talking about the settling of the matter on Wednesday. What Wednesday is referred to? Is it some Wednesday in October? It begins to look like it.

Mr. MANSFIELD. Next Wednesday. The Senator from Montana is seeking advice.

Mr. PASTORE. Mr. President, I repeat that, inasmuch as we are going to go over until Wednesday, in any eventuality, why waste any time tonight? Let us get a time limitation and put both amendments over until next Wednesday. Let us get a time limitation on a vote on the bill, so far as I care.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. MORSE. As manager of the bill, I should like to make a suggestion for a time schedule.

I agree with Senator PASTORE that we still have not a report on the conference we had, and it is still an incomplete conference, and that is why there is a delay to Wednesday. If I may have the attention of the majority leader, I suggest that we recess or adjourn tonight until Wednesday morning, at 10 o'clock, and then we take up the Dominick amendment at 10 o'clock Wednesday morning.

As the majority leader knows, we are concerned about taking up the other matter later on Wednesday, and we could dispose of the Dominick amendment on Wednesday morning and then proceed with the unanimous consent agreed on the Javits amendment and then try to get a unanimous-consent agreement on a time certain to vote on the bill.

Mr. CLARK. It is all right with me.

Mr. MANSFIELD. I feel that I must stand by the will of the Senate as requested by the joint leadership.

I would wish that it would be possible to consider the amendment of the Senator from Colorado [Mr. DOMINICK] on an up or down basis and not to have the Senate faced by two possible votes in case a tabling motion does not carry.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. CLARK. I would be willing to vote the Dominick amendment up or down on Wednesday, but not tonight.

Mr. MANSFIELD. The Senator indicated he was not going to vote it up or down tonight, that if the tabling motion failed, which he hoped it would not, he would then be willing to consider a time limitation on Wednesday next. So it is

not a case of voting it up or down tonight.

Mr. CLARK. I will go further than that. I am willing not to make a tabling motion on Wednesday, but vote on the amendment.

Mr. MANSFIELD. That is what the Senator said he was going to do, anyway, if the tabling motion failed. Is that correct?

Mr. CLARK. No; because it is my understanding that the Senator from Colorado was going to press for a vote tonight. I see no point in voting on a tabling motion tonight, at 5 minutes after 7, when we can dispose of it one way or the other on Wednesday morning.

Mr. DOMINICK. All I can say on this particular matter is that the Senator from Pennsylvania is saying that he wants to get a bunch of people here to start twisting some people's arms on this vote.

All I am talking about is the same amendment I offered before. It was voted on once before. It is a year later now. I can do this in 15 or 20 minutes. We can get a vote on the merits.

Mr. CLARK. I do not want to discuss the merits, Mr. Leader.

Mr. AIKEN. Mr. President, I would like to ask a question. Is this Senate to run on the whims of any one particular Member, in whatever way he chooses to operate it in his own manner? If it is, I should like to speak for 2 days in September.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. CLARK. The Senate, I believe, is run in accordance with its rules, with which the Senator from Vermont is even more familiar than I am.

Mr. AIKEN. And the rules are that no one Member of the Senate can inconvenience the other 98.

Mr. CLARK. I wish that were true, but the Senator knows very well it is not.

Mr. MANSFIELD. Mr. President, the distinguished Senator from Vermont, as always, has raised a very good point, and he has made a statement to the point.

It seems to me that there is a wide divergence on the part of the membership; so, with a hope and a prayer, I ask unanimous consent that at the conclusion of the transaction of morning business on Wednesday next, there be a time allocation of 1 hour on the Javits amendment and 1 hour on the Dominick amendment, the time to be equally divided between the sponsors of the amendment and the manager of the bill, the Senator from Oregon, or whomever he may designate, and that a vote on passage of the bill occur not later than 3 o'clock.

Mr. MORSE. Will the Senator modify his request to state 1 hour on the bill, also?

Mr. MANSFIELD. And 1 hour on the bill, the vote to be taken not later than 4 o'clock.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. The Senator stated the Javits amendment and the Dominick amendment, as if they came in that

order. It is my understanding that the Dominick amendment would come first because of certain factors.

Mr. MANSFIELD. Regardless of the order in which they came, I did not mean it in that fashion.

Mr. MORSE. I have a brief amendment which I can dispose of in 5 minutes tonight. Both sides have agreed to the amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Mr. DOMINICK. Mr. President, reserving the right to object, does this mean I cannot even offer my amendment now, as pending business, simply because the Senator from Pennsylvania wants to get arms twisted before Wednesday?

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the amendment of the distinguished Senator from Colorado be laid before the Senate and made the pending business, and I express the hope that he would allow his amendment to be set aside temporarily so that this noncontroversial amendment which the manager of the bill had indicated he would like to bring up could be considered.

Mr. JAVITS. Mr. President, reserving the right to object, it happens to be my amendment that is to be laid aside. But I agree with the majority leader. I believe his procedure is quite proper, and I will, of course, cooperate with him and join in allowing this to be done, with the understanding, as part of the unanimous-consent request, that my amendment shall be considered immediately after the Dominick amendment has been disposed of under the time limitation.

Mr. MANSFIELD. Yes, indeed.

The PRESIDING OFFICER. Is the objection to the request, as modified by the suggestion?

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. DOMINICK. Is my understanding correct, then, that I offer my amendment now and talk for a few minutes on it? Is that the idea? And that we come in under a time limitation on Wednesday?

Mr. MANSFIELD. That is correct.

Mr. DOMINICK. There is no point in my doing that, because I can dispose of it on Wednesday. I should like to get it done tonight, and I do not see what the problem is.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. PASTORE. The Senator from Colorado knows that Senators have a right to take opposition to his amendment, and they can talk here until 11 o'clock tonight.

Mr. DOMINICK. That is correct.

Mr. PASTORE. And that is what we are trying to avoid.

As for this business of arm twisting, one can twist an arm and untwist an arm. That is a reflection upon the membership of the Senate. I do not believe anyone is going to be persuaded by the fact that we go over until Wednesday. They are trying to get a full complement of Senators present.

Mr. DOMINICK. The Senator from Pennsylvania told me that he wants to

get the people here to get the opposition coagulated around this matter.

Mr. MANSFIELD. Mr. President, I believe I have the floor.

The PRESIDING OFFICER. The Senator from Montana has the floor.

Mr. MANSFIELD. It has been a long time since we have had as good an attendance in the Senate as we have had today. My figure is 83 or 84, which is extraordinary in the second session of this Congress.

Mr. PASTORE. About 16 below par.

Mr. MANSFIELD. I ask that the Chair put the question.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, in connection with the unanimous-consent agreement already agreed to, rule XII be suspended.

The PRESIDING OFFICER. Without objection, it is so ordered.

The unanimous-consent request, subsequently reduced to writing, is as follows:

Ordered, That, effective on Wednesday, July 17, 1968, at the conclusion of routine morning business, during the further consideration of the bill (H.R. 18366) to amend the Vocational Education Act of 1963, and for other purposes, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: Provided, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the majority and minority leaders: Provided, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal: Provided further, That the vote on final passage of the bill come not later than 4 o'clock p.m. on that date.

Mr. MANSFIELD. There will be no votes tonight.

Mr. MORSE. Mr. President, I should like to dispose of this simple amendment, if I may. I send to the desk an amendment which has been cleared on both sides of the aisle.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. MORSE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

On page 18, after line 26, insert the following:

"RESIDENTIAL VOCATIONAL EDUCATION SCHOOLS

"SEC. 109. (a) For the purpose of demonstrating the feasibility and desirability of residential vocational education schools for certain youths of high school age, the Commissioner is authorized to make grants, out

of sums appropriated pursuant to subsection (b) to State boards, to colleges and universities, and with the approval of the appropriate State board, to public educational agencies, organizations, or institutions for the construction, equipment, and operation of residential schools to provide vocational education (including room, board, and other necessities) for youths, at least fifteen years of age and less than twenty-one years of age at the time of enrollment, who need full-time study on a residential basis in order to benefit fully from such education. In making such grants, the Commissioner shall give special consideration to the needs of large urban areas having substantial numbers of youths who have dropped out of school or are unemployed and shall seek to attain, as nearly as practicable in the light of the purposes of this section, an equitable geographical distribution of such schools.

"(b) There are authorized to be appropriated for the purpose of this section \$25,000,000 for the fiscal year ending June 30, 1969, \$30,000,000 for the fiscal year ending June 30, 1970, and \$35,000,000 for the fiscal year ending June 30, 1971, and for the succeeding fiscal year."

On page 19, line 2, strike out "Sec. 109." and insert in lieu thereof "Sec. 110."

Mr. MORSE. Mr. President, my attention has been called to the fact that in the bill as reported, an authority in existing law expired June 30, 1968. This was the authority which has yet to be funded providing for the construction of residential vocational schools.

I have sent to the desk an amendment designed to continue the authority funded at \$25 million for fiscal year 1969, \$30 million for fiscal year 1970, \$35 million for fiscal year 1971, and \$35 million for fiscal year 1972. It is in line with the rest of the bill, Mr. President.

It was simply an oversight that it was not included in the bill reported to the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon.

The amendment was agreed to.

Mr. DOMINICK. I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. DOMINICK. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

At the end of the bill insert the following new section:

"AMENDMENT TO ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 RELATING TO PRESCHOOL ASSISTANCE PROGRAMS

"SEC. 208. (a) The Elementary and Secondary Education Act of 1965 is amended by redesignating title VIII as title IX, by redesignating sections 801 through 807 and references thereto as section 901 through 907, respectively, and by adding after title VII the following new title:

"TITLE VIII—PRESCHOOL PROGRAMS FOR CHILDREN OF LOW-INCOME FAMILIES

"ALLOTMENT TO STATES

"SEC. 801. From the sums appropriated to make basic grants under this title for any fiscal year, the Commissioner shall allot not

more than 2 per centum among Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands, according to their respective needs. He shall also reserve not more than 10 per centum of those sums for allotment in accordance with such criteria and procedures as he may prescribe. The remainder shall be allotted among the States, in accordance with the latest available data, so that equal proportions are distributed on the basis of (1) the relative number of public assistance recipients in each State as compared to all States, (2) the average number of unemployed persons in each State as compared to all States, and (3) the relative number of related children living with families with incomes of less than \$1,000 in each State as compared to all States. For purposes of the preceding sentence, the term "State" does not include Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands. That part of any State allotment which the Commissioner determines will not be needed may be reallocated, on such dates during the fiscal year as the Commissioner may fix, to other States, in proportion to their original allotments, but with appropriate adjustments to assure that any amount so made available to any State in excess of its needs is similarly reallocated among the other States.

"STATE PLANS

"Sec. 802. (a) Any State which desires to receive grants under this title shall submit to the Commissioner, through its State educational agency, a State plan, in such detail as the Commissioner deems necessary, which—

"(1) provides that the State educational agency will be the sole State agency for the administration of the State plan;

"(2) sets forth a program under which funds paid to the State from its allotment under section 801 will be used solely to make grants to community action boards (established pursuant to the Economic Opportunity Act of 1964), or in any community where there is no qualified community action board, to local educational agencies to assist them in carrying on preschool programs which, under subsection (b), are eligible for assistance under this title;

"(3) provides that effective procedures will be adopted for acquiring and disseminating to teachers and administrators significant information derived from educational research, demonstration, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects;

"(4) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including any funds paid by the State to any other agency) under this title;

"(5) provides for making such reports, in such form and containing such information, as the Commissioner may find necessary to assure the correctness and verification of such reports;

"(6) provides a balanced program to meet the educational, nutritional, health, clothing, and other unique needs of children from impoverished backgrounds in order for them to function at optimum levels in relationship to other children; and

"(7) provides a standard of poverty for individuals and families in the State that takes into account the number of children, dependents, and other special circumstances substantially affecting the ability of individuals and families to be self-sustaining.

"(b) A preschool program shall be eligible for assistance under this title if (1) it is designed to prepare educationally deprived children, aged three through seven, in areas having high concentrations of children from low-income families to successfully under-

take the regular elementary school program, (2) it is carried on by, or under contracts or arrangements with, a community action board, or, if carried on in an area in which there is no community action board, is carried on by a local educational agency, and (3) it is limited to participation by children from families meeting the poverty standards established under section 802(a)(7).

"(c) The Commissioner shall approve any State plan and any modification thereof which meets the requirements of subsection (a).

"PAYMENTS TO STATES

"Sec. 803. (a) From the amounts allotted to each State under section 801, the Commissioner shall pay to each State an amount equal to the Federal share of the expenditures made by such State in carrying out its State plan. Such payments may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments and underpayments.

"(b) For purposes of subsection (a), the Federal share for each State shall be 90 per centum for the fiscal year ending June 30, 1970.

"ADMINISTRATION OF STATE PLANS

"Sec. 804. (a) The Commissioner shall not finally disapprove any State plan submitted under this title, or any modification thereof, without first affording the State educational agency administering the plan reasonable notice and opportunity for a hearing.

"(b) Whenever the Commissioner, after reasonable notice and opportunity for hearing to such agency, finds—

"(1) that the State plan has been so changed that it no longer complies with the provisions of section 802(a), or

"(2) that in the administration of the plan there is a failure to comply substantially with any such provision,

the Commissioner shall notify such State agency that the State will not be regarded as eligible to participate in the program under this title until he is satisfied that there is no longer any such failure to comply.

"(c) In the event a State shall, within a reasonable time, fail to submit a State plan, or shall fail to submit an acceptable State plan under circumstances that the Commissioner believes indicate a desire on the part of State officials to prevent operation of any acceptable program under this title within the State, the Commissioner is authorized to contract directly with qualified community action boards, or in any community where there is no qualified community action board, directly with educational agencies to implement programs under this title within such State.

"JUDICIAL REVIEW

"Sec. 805. (a) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its State plan submitted under section 802(a) or with his final action under section 804(b), such State may within sixty days after notice of such action, file with the United States Court of Appeals for the Circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the Clerk of the Court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

"(b) The findings of fact by the Commissioner, if supported by substantial evidence shall be conclusive; but the court, for good cause shown may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of further proceedings. Such

new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

"(c) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

"AUTHORIZATION OF APPROPRIATIONS

"Sec. 806. (a) The Commissioner shall carry out the programs provided for in this title during the fiscal year ending June 30, 1970. There is authorized to be appropriated \$375,000,000 for the fiscal year ending June 30, 1970 to make grants to States for preschool programs under this title.

"(b) (1) Section 222(a) of the Economic Opportunity Act of 1964 is amended by striking out paragraph (1) and by redesignating paragraphs (2), (3), (4), (5), (6), and (7), as redesignated by section 203(b) of this Act, and references thereto, as paragraphs (1) through (6), respectively.

"(2) The amendments made by subsection (b) shall apply with respect to fiscal years ending after June 30, 1969, which provide assistance for a Headstart program. After June 30, 1969, the Director of the Office of Economic Opportunity may not enter into any contract or make any grant to carry out a program similar to any program carried out under title VIII of the Elementary and Secondary Education Act of 1965.

"(c) (1) Section 901 (as redesignated by subsection (a) of this section) of the Elementary and Secondary Education Act of 1965 is amended by striking out 'and VII' in the matter preceding clause (a) and inserting in lieu thereof 'VII and VIII'.

"(2) Such section 901 is further amended by striking out 'and VII' in clause (j) thereof and inserting in lieu thereof 'VII and VIII'."

Mr. DOMINICK. Mr. President, for the sake of the record, this amendment, if agreed to, would transfer the Headstart program from the Office of Economic Opportunity to the Office of Education, effective in fiscal 1970.

I yield the floor.

ADJOURNMENT UNTIL WEDNESDAY, JULY 17, 1968

Mr. MORSE. Mr. President, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 12 noon on Wednesday next.

The motion was agreed to; and (at 7 o'clock and 11 minutes p.m.) the Senate adjourned until Wednesday, July 17, 1968, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate July 15, 1968:

DIPLOMATIC AND FOREIGN SERVICE

Harold Francis Linder, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Canada.

POSTMASTERS

The following named persons to be postmasters:

CALIFORNIA

Norma J. Carter, Clearlake Park, Calif., in place of M. D. Kronquest, retired.

COLORADO

Edith E. Boone, Niwot, Colo., in place of E. L. Haddon, retired.

INDIANA

Elizabeth P. Overman, Westfield, Ind., in place of M. H. Greene, retired.

KANSAS

Victor L. ImMasche, Emporia, Kans., in place of Frank Lill, deceased.

Guy E. Hough, Sr., Solomon, Kans., in place of R. H. Berrigan, retired.

MICHIGAN

Ellert Hendriksma, Moline, Mich., in place of G. C. Frank, retired.

MISSOURI

George J. DeLaney, Baring, Mo., in place of J. H. Kiley, transferred.

James H. Lefler, Goodman, Mo., in place of A. M. Neff, deceased.

NEW YORK

John R. Daugherty, Branchport, N.Y., in place of J. W. Trimmingham, retired.

Walter F. Sawicki, East Aurora, N.Y., in place of W. H. Wright, retired.

Florence B. Nunweiler, East Concord, N.Y., in place of F. J. Edington, retired.

NORTH DAKOTA

Allen R. Janz, Enderlin, N. Dak., in place of M. C. Olufson, retired.

OHIO

Leona E. Tuel, Fly, Ohio, in place of A. B. Mehrey, retired.

PENNSYLVANIA

Paul P. Zborovancik, Hooversville, Pa., in place of M. M. Rodger, retired.

VERMONT

Joseph C. Brown, Bomoseen, Vt., in place of L. H. Coon, retired.

Joseph A. Yacovone, Morrisville, Vt., in place of B. L. Towne, retired.

WEST VIRGINIA

Gladys L. LaDeaux, Palestine, W. Va., in place of Kathrynne Marlow, retired.

WISCONSIN

Harris J. Krueger, Pelican Lake, Wis., in place of A. E. Macikalski, retired.

HOUSE OF REPRESENTATIVES—Monday, July 15, 1968

The House met at 10:00 o'clock a.m. The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Thus saith the Lord, as I was with Moses, so I will be with you; I will not fail you or forsake you.—Joshua 1: 5.

O God and Father of mankind, whose creative spirit is ever seeking to lead us along the paths of truth and love, make us so mindful of Thy presence, so motivated by Thy spirit, so marked by Thy love that we may face this hour and live through these days with courage and strength and good will.

We pray for the captive nations of the world—for those who live in the darkness of fear and want, who cry for the flame of freedom and who pray for the life of liberty. Grant unto them confidence in every trial, courage to endure in every trouble, strength to resist every temptation to become cynical and in the depths of every depression may they hear Thy voice saying, "Be strong and of a good courage for I, the Lord thy God, am with thee."

Hasten the day when freedom shall be the faith of all, when good will shall dwell in the hearts of all and when men shall learn to live together with all.

Our Father, we come into Thy presence with sorrow in our hearts at the passing of one of our beloved colleagues. We thank Thee for him and pray that the comfort of Thy spirit may abide in the hearts of his loved ones. May their faith sustain them, their hope strengthen them, and their love support them.

In the spirit of Christ we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Friday, July 12, 1968, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 2756. An act for the relief of Arley L. Beem, aviation electrician's mate chief, U.S. Navy.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1385. An act to amend section 3 of the act entitled "An act to provide for the disposal of materials on the public lands of the United States" approved July 31, 1947, relating to the disposition by the Secretary of the Interior of moneys obtained from the sale of materials from public lands;

S. 3083. An act for the relief of Dr. Juan M. Ortiz; and

S. 3173. An act for the relief of Dr. Joaquin Francisco Palmerola Cabera.

THE LATE HONORABLE JOE R. POOL

The SPEAKER. The Chair recognizes the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Speaker, it is my sad duty to inform the House officially of the passing of one of our beloved colleagues, the Honorable JOE R. POOL, of Dallas, Tex.

This sad announcement would have been made by the dean of the Texas delegation [Mr. PATMAN] except for the fact that it is impossible for him to be at the Capitol at this moment.

A day will be set aside for eulogies for Mr. POOL. The date has not yet been fixed by the Speaker.

I believe it appropriate at the moment to make some reference to the background and experience of this distinguished citizen and legislator.

JOE RICHARD POOL, who passed away yesterday in Houston, Tex., and who had been in California with the Postmaster General in the performance of his official duties, was born in Tarrant County, Tex., February 18, 1911. He attended the University of Texas and later graduated from Southern Methodist University. He was admitted to the Texas Bar in 1937.

He served his country in uniform in World War II as a special investigator with the Army's Air Corps Intelligence.

He was elected to the Texas House of Representatives in 1952 and served three terms. While there he distinguished himself as a member of the State legislature, serving as chairman of the Motor Traffic Committee and serving on the Committees on Appropriations, Revenue and Taxation, and State Affairs.

He was married in 1940 to Elizabeth Chambless. He leaves his lovely wife and four stalwart sons.

As Members know, he was elected to the 88th Congress in 1962 and later to the 89th Congress as a Member at Large. Following redistricting of the State, he was elected to the 90th Congress from the Third District of Texas.

All of us know of his strong feeling of loyalty and patriotism to our country and to this body. All of us will recall the strong and uncompromising stand which he took against subversion and communism as a member of the Committee on Un-American Activities.

He also served with distinction as a Member of the Committee on Post Office and Civil Service.

We have lost a valiant friend of the people, a legislator of skill, ability, and solid accomplishment, and we mourn the loss which we have sustained.

I would prefer at this time not to yield for remarks and eulogies. I believe it would be more appropriate if we could fix a time certain when other Members not now present may have an opportunity to join in honoring the memory of our departed colleague and friend.

Mr. CHARLES H. WILSON. Mr. Speaker, all of us in the House will miss Congressman JOE POOL; his exuberant enjoyment of life was truly contagious.

A working Congressman, JOE POOL's 6 years of service in the House were marked tireless energy and dedication to his responsibilities. And, although he and I sometimes differed in our views, I could never fail to respect the integrity and zeal with which he held them. He would fight—always fairly—for what he believed, all the while keeping a sharp sense of humor about himself which softened even his most obdurate opponents.

JOE POOL's "larger than life" personality—as well as his considerable size—made him something of a legend in the House. Indeed, when one referred to "the Congressman from Texas," the image of JOE POOL sprang instantly to mind.

I was privileged to serve with Representative POOL on the Subcommittee for Postal Modernization and Facilities which he chaired so vigorously. Last Thursday, Congressman POOL, myself and other members of the subcommittee flew to Los Angeles to dedicate the Worldway Post Office, our city's newest and most modern postal airmail facility. It was a very happy occasion, and Congressman POOL was obviously proud and pleased to see the results of his dynamic leadership of our subcommittee as reflected in this superior new post office.

It is sad beyond words that this hopeful and visionary trip should have such a tragic end. My wife, Betty, joins me in extending our deepest sympathy to Congressman POOL's lovely wife, Elizabeth,