White, Langfred W., [redacted]
Winkler, Darrell V., [redacted]

U.S. MARINE CORPS

Having been designated, in accordance with the provisions of title 10, United States Code, section 5232, Maj. Gen. Hugh M. Elwood and Maj. Gen. Donn J. Robertson, U.S. Marine Corps, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade of lieutenant generals while so serving.

Lt. Gen. Keith B. McCutcheon, U.S. Marine Corps, for appointment to the grade of general while serving as Assistant Commandant of the Marine Corps.

Gen. Lewis W. Walt, U.S. Marine Corps, when retired, to be placed on the retired list in the grade of general.

Lt. Gen. William J. Van Ryzin, U.S. Marine Corps, when retired, to be placed on the retired list in the grade of lieutenant general in accordance with the provisions of title 10, United States Code, section 5233.

U.S. COAST GUARD

The following-named officers of the Coast Guard for promotion to the grade of captain:

William C. Behan	Wilfred H. Shaw
Herbert M. Hartlove	Paul W. Meyer
Harry H. Keller, Jr.	Forrest E. Stewart
George N. Wood	Richard D. Hodges
Richard G. Donaldson	John C. Dowling
Arthur G. Morrison	Walter B. Alvey
John T. Rouse	William L. Webster
David E. Metz	John M. O'Connell, Jr.
James R. Meeker	Alvin T. Durgin, Jr.
Frederick J. Lessing	Walter F. Bartlett
William E. West, Jr.	Milo A. Jordan
Joseph A. Macri	Frederick O. Wooley
Richard J. MacGarva	Norman C. Venzke
Donald J. Riley	Raymond H. Wood
Thomas F. McKenna, Jr.	Clifford F. Dewolf

The following-named Reserve officer to be a permanent commissioned officer of the Coast Guard in the grade of lieutenant:

Larry K. Carr.

HOUSE OF REPRESENTATIVES—*Tuesday, November 17, 1970*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Be strong, not in yourselves but in the Lord, in the power of His boundless resource. Ephesians 6: 10.

O God and Father of us all, out of the differences and divisions of this world we come humbly to worship Thee. From things that man is doing to man we enter Thy presence to think of what Thou art doing for man. As we pray reveal to us Thy glory, bestow upon us Thy wisdom, make us equal to the tasks of these troubled times and ready always to walk the path of goodness, truth, and love. As we pray do Thou purify our affections, refine our ambitions, cleanse our minds, and strengthen our spirits that we may think clearly, plan wisely, and work diligently for the good of our beloved country.

We pray for our President, our Speaker, and every Member of Congress. We pray for those who serve our country at home and abroad, particularly our prisoners of war. May Thy spirit steady them and strengthen them for every experience.

Grant that Thy mighty energy may surge through the peoples and governments of the world that we may learn the art of living together on this planet.

In Thy holy name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

IN THE MATTER OF THE UNITED STATES AGAINST WILLIAM L. CALLEY, JR.—COMMUNICATION FROM THE CLERK OF THE HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C.,
October 23, 1970.

The Honorable the SPEAKER,
U.S. House of Representatives.

DEAR SIR: On this date, I have received a subpoena by registered mail sent by Captain John P. Partin, JAGC, U.S. Army that was issued in the Fifth Judicial Circuit, Fort Benning, Georgia, 31905. The subpoena appears to be in connection with the case of the United States of America v. 1Lt. William L. Calley, Jr.

This subpoena commands me to appear on the 20th day of November 1970 before general court-martial of the United States at Building 5, Fort Benning, Georgia and requests certain House records that are outlined in the subpoena itself. Captain Partin, the Assistant Trial Counsel in the case, outlines in his letter alternate procedures wherein, under certain conditions, a certified copy of the House vote or resolution, or certified copies of the House records under consideration be forwarded to the Court by the return date in lieu of the Clerk's appearance in Fort Benning, Georgia. The letter also contains a list of witnesses and an attested copy of Court Order Number 19, issued by the Military Judge in the Fifth Judicial Circuit, Fort Benning, Georgia.

The rules and practices of the House of Representatives, House Resolution 288 of June 16, 1953, and House Resolution 15 of January 3, 1969, indicate that no official of the House may, either voluntarily or in obedience to a subpoena duces tecum, produce such records without the consent of the House being first obtained. It is further indicated that copies of the requested papers may not be supplied without such consent.

The subpoena in question and Captain Partin's letter, together with its list of witnesses and Court Order Number 19, are herewith attached, and the matter is presented for such action as the House in its wisdom may see fit to take.

Sincerely,

W. PAT JENNINGS, *Clerk,*
U.S. House of Representatives.
By W. RAYMOND COLLEY.

The SPEAKER. The Clerk will read the subpena.

The Clerk read as follows:

SUBPOENA FOR CIVILIAN WITNESS

General Court-Martial of the United States, U.S. Army Infantry Center and Fort Benning, Fort Benning, Georgia.

The President of the United States, to Mr. William Pat Jennings, Clerk of the House of Representatives.

You are hereby summoned and required to appear on the 20th day of November, 1970, at 9 o'clock a.m. before a General court-martial of the United States, at Building Number 5, Fort Benning, Georgia, appointed by Court-Martial Convening Order Number 70, Headquarters, U.S. Army Infantry Center and Fort Benning, Fort Benning, Georgia, dated 24 November 1969, to testify as a witness for the Court in the Case of United States v. 1 Lt. William L. Calley, Jr. (and bring with you the transcripts of the testimony or any statements made to the My Lai Investigating Subcommittee by any of those persons whose names appear on the attached list).

Failure to appear and testify is punishable by a fine of not more than $500 or imprisonment for a period not exceeding six months, or both.

Bring this subpoena with you and do not depart from the court without proper permission.

Subscribed Fort Benning, Georgia, this 20th day of October, 1970.

Capt. AUBREY M. DANIEL III, JAGC,
Trial Counsel.

IN THE MATTER OF THE UNITED STATES AGAINST WILLIAM L. CALLEY, JR.—COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C.,
October 16, 1970.

The Honorable the SPEAKER,
U.S. House of Representatives.

DEAR SIR: On this date, I have received a letter from the Trial Counsel, dated October 14, 1970, in the case of United States v. William L. Calley, Jr. containing an unattested copy of Court Order Number 19 of the same case issued by the Military Judge in the Fifth Judicial Circuit, Fort Benning, Georgia that requests production of certain evidence of witnesses in possession and under the control of the House of Representatives.

Since House Resolution 15, of January 3, 1969, specifically precludes the release of such matter, I have this date so advised the Trial Counsel. The letter of request with its appended List of Witnesses and the copy of Court Order Number 19 are herewith attached for such action as the House in its wisdom may see fit to take.

Sincerely,

W. PAT JENNINGS,
Clerk, U.S. House of Representatives.
By W. RAYMOND COLLEY.

The SPEAKER. The Clerk will read the court order.

The Clerk read as follows:

[In the Fifth Judicial Circuit, Fort Benning, Ga., Court Order No. 19]

UNITED STATES *v.* WILLIAM L. CALLEY, JR., FIRST LIEUTENANT, U.S. ARMY

I

This Court, having reviewed the record and exhibits, and having heard oral argument on the issue of the release of testimony taken before the House Armed Services Subcommittee investigating the alleged incident at My Lai, now makes the following findings of law and fact:

II

Counsel for the accused, pursuant to applicable military law, formally requested counsel for the Government to obtain for use

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

by the defense all witness testimony and statements taken by the Armed Services Investigating Subcommittee of the Committee on Armed Services, House of Representatives, Ninety-first Congress, Second Session, during that subcommittee's investigation of the alleged My Lai incident.

Counsel for the Government properly forwarded this request to the Honorable F. Edward Hébert, Chairman of the above mentioned Subcommittee. Speaking for the Subcommittee, Chairman Hébert replied that it was the view of the Subcommittee that only Congress can direct disclosure of legislative records; that the Jencks Act is not applicable to Congress; and that the matters sought were not within the purview of *Brady* v. *Maryland*, 373 U.S. 83 (1963). The import of his letter was to deny administrative access to the Subcommittee's records on the broad discovery basis sought by counsel for Lieutenant Calley.

On 15 July 1970, the Subcommittee issued a report on its investigation, containing the following explanation of why the Subcommittee had not published a transcript of its proceedings at the same time as its report:

"Although lack of cooperation on the part of the Department of the Army seriously impeded and delayed the work of the Subcommittee, its investigation has now been completed. However, the transcript of testimony is classified and will not be released until final disposition has been made of all criminal cases now pending or which may arise from the My Lai affair. This impounding is deemed necessary since the record contains matter which, if published, might be considered by the Government or the defense to be prejudicial.

"However, because of the sensational manner in which a significant portion of the news media reported the My Lai incident, the Subcommittee feels obliged to attempt to put material events in a proper perspective in a public report." (H.R. Rep. No. , "Investigation of the My Lai Incident," 91st Cong., 2d Sess., p. 4).

Defense has now petitioned this Court for relief in securing production of the testimony and statements from the Subcommittee. As authority for this petition, defense relies upon the Constitution, the Uniform Code of Military Justice, the Manual for Courts-Martial, *Brady* v. *Maryland*, 373 U.S. 83 (1963), the Jencks Act, 18 U.S.C. § 3500, and "any other authority which this court may find applicable." The Government replies that such testimony and statements, having been made in Congressional Executive Session, are not discoverable nor may judicial process compel their release by Congress.

In open court, counsel for both parties agreed that release of the testimony and statements to counsel, under appropriate limitations on disclosure would prejudice neither party.

III

The first question presented is whether such testimony is discoverable by an accused.

By Act of Congress the right of pretrial discovery is broader in military legal procedure than in most, if not all, other courts in the United States (Article 46, UCMJ, 10 U.S.C. § 846). Entitlement to discovery is dependent upon the relevancy of the material sought and reasonableness of the request (*United States* v. *Franchia*, 13 USCMA 315, 32 CMR 315 (1962)). An accused must, of course, be afforded some latitude in his exploration for relevant, admissible evidence and the formal process devices provided by Congress and by the President, under authority granted by Congress, are available to assist him in this search. However, the discovery processes are not designed to permit an accused to fish blindly for evidence with only hope for tackle and prayer for bait.

In this case, Chairman Hébert has provided counsel with the names of all witnesses appearing before the Subcommittee. Most of these witnesses have testified at other investigations. The defense has been provided with all testimony and statements obtained by investigators working under the direction of The Inspector General, the Criminal Investigation Division, and the "Peers Inquiry." All criminal investigative case progress notes were furnished the defense to permit counsel to contact any witness interviewed by the criminal investigators, including those from whom statements were not taken. In addition, the defense has been provided with blanket travel orders so that counsel may travel to and interrogate any potential witness at Government expense. This Court finds that the steps taken to date adequately protect the "equal opportunity to obtain witnesses and other evidence" granted trial and defense counsel by Article 46 of the Code (10 U.S.C. § 846).

IV

The second question is whether this Court should attempt to secure for the accused statements and testimony given to the Subcommittee by those witnesses who will also testify for the government at trial.

In *Gordon* v. *United States*, 344 U.S. 414 (1952); *Jencks* v. *United States*, 353 U.S. 657 (1957), and like cases, the Supreme Court held that in certain circumstances an accused should be provided with prior statements made by Government witnesses. Moreover, the desirability of granting the accused access to such material was formally recognized by Congress itself in its passage of the Jencks Act (see 18 U.S.C. § 3500; 103 Cong. Rec. 15781, *et seq.*). As is patently apparent, comparison of in-court testimony with prior out-of-court testimony is one manner in which a witness' credibility may be determined by the Jury and the truth disclosed.

Without reaching the precise issue of whether the Jencks Act itself applies, this Court is satisfied on the facts presented that in its quest for the truth, and to promote the ends of justice, it should issue process seeking the release of the above described witness statements and testimony, taken by the Subcommittee, for us in this trial under the restrictions described in paragraph V below.

V

Without question this court recognizes the Constitutional right of the House of Representatives to keep in its exclusive possession "such Parts [of its proceedings] as may in [its] Judgment require Secrecy" (Article I, Section 5, Constitution of the United States).

House Resolution 15, Ninety-First Congress, First Session, implements this Constitutional power. In part it provides:

"That when it appears by the order of any court in the United States or a judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that documentary evidence in the possession and under the control of the House is needful for use in any court of Justice or before any judge or such legal officer, for the promotion of justice, this House will take such action thereon as will promote the ends of justice consistently with the privileges and rights of this House. . . ."

Under this resolution, upon determination by a court that papers or documents sought by a party are material and relevant, the Clerk of the House is authorized to supply certified copies of the matters without further action by the House, unless the matters are (1) papers of a Member, officer or employee, or (2) minutes or transcripts of executive sessions, or any evidence of witnesses in respect thereto. [Release of the latter is a matter to be handled under the general provision of Resolution 15 quoted above.] Contra to H. Res. 15.

It is therefore concluded that the witness' testimony and statements taken in executive session before the Subcommittee investigating the alleged My Lai incident are subject to judicial process only pursuant to House Resolution 15 or when the House of Representatives otherwise authorizes release of such testimony.

VI

Wherefore, to promote the ends of justice, this Court hereby seeks the release of all statements and/or testimony of those prosecution witnesses who have previously testified before the Armed Services Investigating Subcommittee of the Committee on Armed Services, House of Representatives, Ninety-first Congress, Second Session. If released, these matters will be held by this Court until after the witness to which each relates has testified. Counsel will be ordered not to disclose to the public or counsel in other cases the contents of any document provided them except to the extent actually used for impeachment in court.

Pursuant to the Uniform Code of Military Justice and Manual for Courts-Martial, Government counsel is directed to serve a copy of this order on the Clerk of the House of Representatives, together with a list of all witnesses that he intends to call and who have also testified before or given statements to the "My Lai Investigating Subcommittee," for such action as the House of Representatives, under House Resolution 15 and other applicable rules, deems consistent with the ends of justice and the rights and privileges of that House.

Dated this 13th day of October, 1970.

REID W. KENNEDY,
Military Judge.

IN THE MATTER OF THE UNITED STATES OF AMERICA AGAINST DAVID MITCHELL, STAFF SERGEANT, U.S. ARMY—COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

October 22, 1970.

The HONORABLE SPEAKER,
U.S. HOUSE OF REPRESENTATIVES.

DEAR SIR: On this date, I have been served with a subpoena by the Chief, Investigations Division, Office of the Chief of Legislative Liaison, The Pentagon, that was issued by the Sixth Judicial Circuit, Fourth Judicial Area, First Armored Division, Fort Hood, Texas, 76545. This subpoena appears to be in connection with the case of United States of America v. David Mitchell, SSG, U.S. Army.

This subpena commands me to appear on the 6th day of October 1970 before general court-martial of the United States, at Building 2230, Fort Hood, Texas and requests certain House records that are outlined in the subpoena itself, which is attached hereto.

The rules and practices of the House of Representatives, House Resolution 288 of June 16, 1953, and House Resolution 15 of January 3, 1969, indicate that no official of the House may, either voluntarily or in obedience to a subpoena duces tecum, produce such records without the consent of the House being first obtained. It is further indicated that copies of the requested papers may not be supplied without such consent.

The subpoena in question is herewith attached, and the matter is presented for such action as the House in its wisdom may see fit to take.

Sincerely,

W. PAT JENNINGS, *Clerk,*
U.S. House of Representatives.
By W. RAYMOND COLLEY.

The SPEAKER. The Clerk will read the subpena.

The Clerk read as follows:

SUBPENA FOR CIVILIAN WITNESS

General Court-Martial of the United States, 1st Armored Division, Fort Hood, Tex.

The President of the United States, to Hon. William Pat Jennings, Clerk of the U.S. House of Representatives.

You are hereby summoned and required to appear on the 26th day of October, 1970, at 8 o'clock A.M., before a general court-martial of the United States, at Building 2230, Fort Hood, Texas, convened by an order of the Commanding General, 1st Armored Division, Fort Hood, Texas, dated 2 October 1970, to testify as a witness for the prosecution in the case of United States v. David Mitchell, SSG, U.S. Army (and bring with you transcripts of the testimony of CW2 Hugh Thompson, CW2 Jerry Culverhouse, Mr. Lenny B. Laguney, and Mr. Lawrence M. Colburn, taken by the My Lai Incident Subcommittee, F. Edward Hébert, Chairman).

Failure to appear and testify is punishable by a fine of not more than $500 or imprisonment for a period not exceeding six months, or both.

Bring this subpena with you and do not depart from the court without proper permission.

Subscribed at Fort Hood, Texas, this 19th day of October, 1970.

Col. GEORGE R. ROBINSON, J.A.G.C.,
Military Judge.

[Sixth Judicial Circuit, Fourth Judicial Area, First Armored Division Fort Hood, Tex., Court Order No. 5]

UNITED STATES *v* DAVID MITCHELL, SSG E6

I

This court, having reviewed the record and exhibits on the issue of the release of testimony taken before the House Armed Services Subcommittee investigating the alleged incident at My Lai, now makes the following findings of law and fact:

a. That documentary evidence in the possession and under the control of the House of Representatives in the form of testimony given by the following named persons: *Lawrence M. Colburn, Jerry Culverhouse, Lenny Lagunoy* and *Hugh Thompson* before the House Armed Services Subcommittee concerning the alleged incident at My Lai, is needed by both the defense and prosecution as well as this court in the trial of *United States v. Mitchell.*

b. That the production of the above described documentary evidence will promote the ends of justice and preserve the integrity of our juidical system.

II

Therefore, the trial counsel is hereby ordered to apply to the Clerk of the House of Representatives pursuant to House Resolution 15 for the above described testimony of the named individuals as soon as possible.

Dated this 19th day of October 1970.

Col. GEORGE R. ROBINSON, JAGC,
Military Judge.

PROPOSAL TO CHANGE RULE ON TRADE BILL

(Mr. GIBBONS asked and was given permission to address the House for 1 minute, and to revise and extend his remarks and include extraneous material.)

Mr. GIBBONS. Mr. Speaker, as you so well know, tomorrow the House of Representatives is scheduled to take up the trade bill. This trade bill has been reported from the Committee on Ways and Means with seven dissenting votes, and it was reported by the Committee on Rules under a closed rule—a no amendment rule.

Tomorrow during consideration of the rule I intend to oppose the closed rule, and if the previous question is voted down and if I am recognized, to submit a substitute for that rule. I will submit a substitute that allows the Members of the House to consider this bill in an orderly fashion after general debate under the normal 5-minute rule, the only restriction being that only motions to strike shall be in order.

I hope that the House will adopt the proposal that I will put forward. This is the most serious matter, the most serious policy decision that the House of Representatives has been called upon to make, certainly in my time of office here, and perhaps in the last 30 or 40 years.

Mr. Speaker, I would say that the action I urge the House to take is not unprecedented, for in 1953 the House adopted the same type of rule for the consideration of a trade bill. I would hope that all Members tomorrow who are present will vote down the previous question when the motion is made by the gentleman from Texas (Mr. YOUNG), of the Committee on Rules, and I further hope, Mr. Speaker, that you will recognize me so that I might present a substitute for the rule as reported by the Committee on Rules.

ADVERTISING UNDER ALMOND MARKETING ORDERS

Mr. SISK. Mr. Speaker, by direction of the Committee on Agriculture, I ask unanimous consent to take from the Speaker's table the bill (H.R. 13978) to amend the Agricultural Adjustment Act of 1933, as amended, and reenacted and amended by the Agricultural Marketing Act of 1937, as amended, to authorize marketing research and promotion projects including paid advertising for almonds, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, lines 1 and 2, strike out "striking the period at the end of the first proviso and inserting in lieu thereof" and insert "inserting before the colon at the end of the first proviso the following".

Page 2, line 7, strike out "order." and insert "order".

The SPEAKER. Is there objection to the request of the gentleman from California?

PARLIAMENTARY INQUIRY

Mr. HALL. Mr. Speaker, reserving the right to object, I would like to propose a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. HALL. Mr. Speaker, I ask if the Chair would consider this as legislative business of the House of Representatives?

The SPEAKER. Yes; this is legislative business, and it is being considered under a unanimous-consent request.

Mr. HALL. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. HALL. Is it not customary and, indeed, in accordance with clause 6 of rule XXIV that reads to this effect:

On the third Tuesday of each month after the disposal of such business on the Speaker's table as requires reference only, that the Private Calendar is called as the next order of business?

If so, would that not apply prior to legislative business before the House?

The SPEAKER. The gentleman's statement is correct with one qualification. The Chair may recognize a Member for a unanimous-consent request. A unanimous-consent request has been made.

Mr. HALL. Then, Mr. Speaker, under the circumstances I am constrained to object.

The SPEAKER. Would the gentleman prefer to have the Private Calendar called first, and that the gentleman from California call this matter up later?

Mr. HALL. I certainly would, Mr. Speaker.

Mr. SISK. Mr. Speaker, in observance of the rules of the House, I am happy to withdraw the unanimous-consent request.

The SPEAKER. The gentleman's request is withdrawn.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

DR. ANTHONY S. MASTRIAN

The Clerk called the bill (H.R. 15760) for the relief of Dr. Anthony S. Mastrian.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ATKINSON, HASERICK & CO., INC.

The Clerk called the bill (H.R. 10534) for the relief of Atkinson, Haserick, & Co., Inc.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

CLAUDE G. HANSEN

The Clerk called the bill (H.R. 13807) for the relief of Claude G. Hansen.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

JOHN R. GOSNELL

The Clerk called the bill (H.R. 13469) for the relief of John R. Gosnell.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

DAVID L. KENNISON

The Clerk called the bill (H.R. 15272) for the relief of David L. Kennison.

There being no objection, the Clerk read the bill as follows:

H.R. 15272

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to David L. Kennison the sum of $1,721.61 in full settlement of all his claims against the United States for the amount he paid in special expenses incurred in a move from the State of Arizona to the District of Columbia for the purpose of employment with the Department of Transportation which expenses the Department of Transportation specifically promised to pay and/or reimburse, including, but not necessarily restricted to, costs involved in selling an Arizona residence and buying a Virginia residence, a per diem allowance for each member of his family, the cost of temporary quarters, and other miscellaneous expense.

SEC. 2. No part of the amount appropriated in the first section of this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, strike "$1,721.61" and insert "$1,307.88".

Page 2, line 7, strike "in excess of 10 per centum thereof".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE F. MILLS

The Clerk called the bill (H.R. 15415) for the relief of George F. Mills.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

REFERENCE OF H.R. 1390 TO THE CHIEF COMMISSIONER OF THE COURT OF CLAIMS

The Clerk called House Resolution 108, referring H.R. 1390 to the Chief Commissioner of the Court of Claims.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

THOMAS J. BECK

The Clerk called the bill (H.R. 4982) for the relief of Thomas J. Beck.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

MAUREEN O'LEARY PIMPARE

The Clerk called the bill (H.R. 12962) for the relief of Maureen O'Leary Pimpare.

There being no objection, the Clerk read the bill as follows:

H.R. 12962

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a)(23) of the Immigration and Nationality Act, Maureen O'Leary Pimpare may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that Act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIA DE CONCEICAO BOTELHO PEREIRA

The Clerk called the bill (H.R. 12990) for the relief of Maria de Conceicao Botelho Pereira.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

DRAGO MIKLAUSIC

The Clerk called the bill (H.R. 1508) for the relief of Drago Miklausic.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

MATYAS HUNYADI

The Clerk called the bill (H.R. 3436) for the relief of Matyas Hunyadi.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CLINTON M. HOOSE

The Clerk called the bill (H.R. 4665) for the relief of Clinton M. Hoose.

There being no objection, the Clerk read the bill as follows:

H.R. 4665

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Clinton M. Hoose, of Alexandria, Virginia, the sum of $3,634.64 in full settlement of all his claims against the United States arising in connection with a reduction in his salary for the period beginning October 1, 1962, and ending October 30, 1964, while he was a contract employee of the Central Intelligence Agency. The said Clinton M. Hoose agreed to such a reduction in salary because of certain provisions of Federal law relating to restrictions on the concurrent receipt of civilian compensation and military retired pay, which provisions were later rendered retroactively inapplicable to certain retired officers by section 201(g) of the Dual Compensation Act of 1964.

SEC. 2. No part of the amount appropriated in the first section of this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 7, strike "in excess of 10 per centum thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A. HUGHLETT MASON

The Clerk called the bill (H.R. 5017) for the relief of A. Hughlett Mason.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

ROGER STANLEY, AND THE SUCCESSOR PARTNERSHIP, ROGER STANLEY AND HAL IRWIN, DOING BUSINESS AS THE ROGER STANLEY ORCHESTRA

The Clerk called the bill (H.R. 5943) for the relief of Roger Stanley, and the successor partnership, Roger Stanley and Hal Irwin, doing business as the Roger Stanley Orchestra.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

HERSHEL SMITH, PUBLISHER OF THE LINDSAY NEWS, OF LINDSAY, OKLA.

The Clerk called the bill (H.R. 6100) for the relief of Hershel Smith, publisher of the Lindsay News of Lindsay, Okla.

There being no objection, the Clerk read the bill as follows:

H.R. 6100

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Hershel Smith, publisher of the Lindsay News, of Lindsay, Oklahoma, is relieved of all liability for payment to the United States of the sum of $966.77, representing the difference between the amount which should have been paid and the amount actually paid by the said Hershel Smith for postage on second-class mailings of the Lindsay News for the period from September 22, 1962, through July 22, 1964, such underpayment having resulted from his reliance upon postal rates specified in good faith by the appropriate postmaster although such rates were erroneous.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Hershel Smith the sum of any amounts received from him on account of the underpayment referred to in the first section of this Act.

With the following committee amendment:

Page 2, after line 7, add the following:

"No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHARLES ZONARS

The Clerk called the bill (H.R. 7955) for the relief of Charles Zonars.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CENTRAL GULF STEAMSHIP CORP.

The Clerk called the bill (H.R. 12958) for the relief of Central Gulf Steamship Corp.

There being no objection, the Clerk read the bill as follows:

H.R. 12958

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Central Gulf Steamship Corporation, a Delaware corporation, the sum of $100,910.19 in full settlement of all its claims against the United States for reimbursement of customs duties paid by the corporation on certain steel which arrived at the Port of New Orleans during 1968 and 1969; such duties were incurred as a result of delays attributable entirely to the Government of the United States.

SEC. 2. No part of the amount appropriated in the first section of this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike "$100,910.19" and insert "$50,055.95".

Page 1, lines 10 and 11: Strike "; such duties were incurred as a result of delays attributable entirely to the Government of the United States".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DAVID Z. GLASSMAN

The Clerk called the bill (H.R. 13805) for the relief of David Z. Glassman.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

MARCOS ROJOS RODRIGUEZ

The Clerk called the bill (S. 1187) for the relief of Marcos Rojos Rodriguez.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

ARLINE LOADER AND MAURICE LOADER

The Clerk called the bill (S. 2514) for the relief of Arline Loader and Maurice Loader.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

ARTHUR JEROME OLINGER, A MINOR

The Clerk called the bill (S. 703) for the relief of Arthur Jerome Olinger, a minor, by his next friend, his father, George Henry Olinger, and George Henry Olinger, individually.

There being no objection, the Clerk read the bill as follows:

S. 703

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That, notwithstanding any statute of limitation, bars of laches, or lapse of time, or that the claims herein arose in a foreign country, jurisdiction is hereby conferred upon the United States District Court for the District of Hawaii to hear, determine, and render judgment upon the claims of Arthur Jerome Olinger and his father, George Henry Olinger, for compensation for a fractured skull and other injuries sustained by the said Arthur Jerome Olinger at the age of four, such injuries having occurred as a result of a fall from the third floor of Government quarters, owned and controlled by the United States, known as Feebren Strasse II, Warner Barracks, in Bamberg, Germany, on September 22, 1962.

SEC. 2. Suit upon any such claims may be instituted at any time within one year after the date of the enactment of this Act. Proceedings for the determination of such claims and review thereof, and payment of any judgment thereon, shall be in accordance with the provisions of law applicable to cases over which the court has jurisdiction under section 1346(b) of title 28 of the United States Code. The application of section 2680(k) of title 28 of the United States Code to the claims herein is waived. Nothing in this Act shall be construed as an inference of liability on the part of the United States.

With the following committee amendment.

Strike all after the enacting clause and insert:

"That notwithstanding the limitations of subsection (b)(1) of section 2733 of title 10 of the United States Code, or any other statute of limitations, the claim of Arthur Jerome Olinger, a minor, for injuries and consequent disability resulting from a fall on or about September 29, 1962, from an upper floor of Government quarters known as Feevren Strasse II, Warner Barracks, Bamberg, Germany, filed within one year of the effective date of this Act shall be held to be a timely claim and shall be received, considered, settled, and, if meritorious, paid in accordance with the otherwise applicable provisions of section 2733 of title 10 of the United States Code. Nothing in this Act shall be construed as an inference of liability on the part of the United States."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KONRAD LUDWIG STAUDINGER

The Clerk called the bill (S. 737) for the relief of Konrad Ludwig Staudinger.

There being no objection, the Clerk read the bill as follows:

S. 737

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of paragraph (9) of section 212(a) of the Immigration and Nationality Act, Konrad Ludwig Staudinger may be issued an immigrant visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such Act. This Act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of enactment of this Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. ANASTASIA PERTSOVITCH

The Clerk called the bill (S. 3620) for the relief of Mrs. Anastasia Pertsovitch.

There being no objection, the Clerk read the bill as follows:

S. 3620

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Mrs. Anastasia Pertsovitch, the widow of Mr. Dmytro Pertsovitch, a citizen of the United States, shall be held and considered to be within the purview of section 201(b) of that Act and the provisions of section 204 of said Act shall not be applicable in this case.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. PANG TAI TAI

The Clerk called the bill (S. 3853) for the relief of Mrs. Pang Tai Tai.

There being no objection, the Clerk read the bill as follows:

S. 3853

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a)(25) of the Immigration and Nationality Act, Mrs. Pang Tai Tai may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that Act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRUCE M. SMITH

The Clerk called the bill (S. 3858) for the relief of Bruce M. Smith.

There being no objection, the Clerk read the bill as follows:

S. 3858

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, the periods of time that Bruce M. Smith has resided in the United States since he was lawfully admitted to the United States for permanent residence on May 23, 1961, shall be held and considered to meet the residence and physical presence requirements of section 316 of such Act. In this case the petition for naturalization may be filed with any court having naturalization jurisdiction.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FAVORING THE SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The Clerk called the concurrent resolution (S. Con. Res. 79) favoring the suspension of deportation of certain aliens.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the concurrent resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

MRS. ROSE THOMAS

The Clerk called the bill (H.R. 2302) for the relief of Mrs. Rose Thomas.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

PHILIP C. RILEY AND DONALD F. LANE

The Clerk called the bill (H.R. 11676) for the relief of Philip C. Riley and Donald F. Lane.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

ROBERT L. STEVENSON

The Clerk called the bill (H.R. 15864) for the relief of Robert L. Stevenson.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MARION OWEN

The Clerk called the bill (H.R. 15865) for the relief of Marion Owen.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

WILLIAM E. CARROLL

The Clerk called the bill (H.R. 16276) for the relief of William E. Carroll.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CARLO BIANCHI & CO., INC.

The Clerk called the bill (H.R. 17853) for the relief of Carlo Bianchi & Co., Inc.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

JAMES E. MILLER

The Clerk called the bill (S. 878) for the relief of James E. Miller.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

CAPT. WILLIAM O. HANLE

The Clerk called the bill (S. 882) for the relief of Captain William O. Hanle.

There being no objection, the Clerk read the bill as follows:

S. 882

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Captain William O. Hanle, United States Army, retired, of Joppa, Maryland, is hereby relieved of all liability to repay to the United States the sum of $15,348.32, representing salary paid him during the period from July 9, 1962, through November 30, 1964, while he was employed as a criminal investigator at the mid-Atlantic regional office of the Internal Revenue Service at Philadelphia, Pennsylvania, in violation of section 2 of the Act of July 31, 1894 (28 Stat. 205; 5 U.S.C. 62), which prohibits the employment of certain retired military officers in a civilian position, the said William O. Hanle having advised the Internal Revenue Service of his retired status prior to his employment. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

Sec. 2. In determining length of service for purposes of step increases, retirement, annual and sick leave, and any other employee rights and benefits the said Captain William O. Hanle shall be entitled to credit for such period during which he was employed and received salary as a criminal investigator for the Internal Revenue Service.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DONAL E. McGONEGAL

The Clerk called the bill (S. 1422) for the relief of Donal E. McGonegal.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Donal E. McGonegal of Springfield, Virginia, is hereby relieved of all liability for repayment to the United States of the sum of $728.37, representing the amount of overpayments of per diem he received, as the result of administrative error, from the United States Navy during the period from June 26, 1966, through November 22, 1966, while the said Donal E. McGonegal was serving on active duty with the United States Navy. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Donal E. McGonegal, the sum of any amount received or withheld from him on account of the overpayment referred to in the first section of this Act.

(b) No part of any amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANCIS X. TUSON

The Clerk called the bill (H.R. 4463) for the relief of Francis X. Tuson.

There being no objection, the Clerk read the bill as follows:

H.R. 4463

Be it enacted by the Senate and House of Representatives of the United States in Congress assembled, That notwithstanding the limitations of section 2401 of title 28 of the United States Code, or of any other statute of limitations, jurisdiction is hereby conferred upon any United States district court to hear, determine, and render judgment in accordance with the otherwise applicable tort claims provisions of title 28 upon the claims of Francis X. Tuson of Worcester, Massachusetts, against the United States, based upon an accident which occurred on or about May 31, 1962, when a United States mail truck collided with a police ambulance operated by him at Commercial and Foster Streets in Worcester, Massachusetts. Any action commenced under the authority of this Act shall be filed within one year of the date of approval of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANK E. DART

The Clerk called the bill (H.R. 13182) for the relief of Frank E. Dart.

There being no objection, the Clerk read the bill as follows:

H.R. 13182

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank Ephriam Dart, chief petty officer, United States Navy, the sum of $6,678.00 representing compensation for the loss of his household goods and personal effects which were destroyed by a fire on February 18, 1969, at the Collings Warehouse in Westerly, Rhode Island, where the goods and effects were in temporary storage while Mr. Dart was awaiting Government quarters. The fire occurred after the expiration of Mr. Dart's period of authorized temporage storage at Government expense, but he never received notice of the expiration of such period.

SEC. 2. No part of the amount appropriated in the first section of this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Strike all after the enacting clause and insert:

"That the claim previously filed by Frank E. Dart, Chief Radarman, United States Navy, for the loss of personal effects and household goods suffered as the result of a fire on or about February 18, 1969 at Collings Moving and Storage, Westerly, Rhode Island, shall be held and considered to be a claim cognizable under the Military Personnel and Civilian Employees Claims Act of 1964, as amended (Public Law 89–185, 78 Stat. 767, as amended; 31 U.S.C. 240–243), and the Secretary of the Navy is hereby authorized to consider, settle, and, if found meritorious, to pay the claim in accordance with the otherwise applicable provisions of that Act. The United States shall be subrogated to any rights of the said Frank E. Dart against any third parties based on the same loss to the extent of the amount so paid."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RUTH V. HAWLEY, MARVIN E. KRELL, ALAINE E. BENIC, AND GERALD L. THAYER

The Clerk called the bill (H.R. 14703) for the relief of Ruth V. Hawley, Marvin E. Krell, Alaine E. Benic, and Gerald L. Thayer.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

THADDEUS J. PAWLAK

The Clerk called the bill (H.R. 15270) for the relief of Thaddeus J. Pawlak.

There being no objection, the Clerk read the bill as follows:

H.R. 15270

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, a sum not to exceed $1,042.50 to Thaddens J. Pawlak of the Department of the Army, formerly of Chicago, Illinois, who was ordered to report for duty at his new duty station at Fort Sheridan, Illinois, on or about May 7, 1967, for relocation allowances authorized by the Administrative Expenses Act of 1946 (60 Stat. 806), in accordance with the provisions of the regulations of the Bureau of the Budget contained in Circular Numbered A–56 Revised, October 12, 1966, except that the time limits contained in section 4.1d of the circular will not be applied to expenses incurred in connection with said relocation prior to the enactment of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, strike "Thaddens" and insert "Thaddeus".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JACK B. SMITH AND CHARLES N. MARTIN, JR.

The Clerk called the bill (H.R. 15505) for the relief of Jack B. Smith and Charles N. Martin, Jr.

There being no objection, the Clerk read the bill as follows:

H.R. 15505

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Jack B. Smith, postmaster, and Charles N. Martin, Junior, publisher of Atlanta's Suburban Reporter of Atlanta, Georgia, are relieved of liability to the United States in the amount of $3,696.80, an amount claimed to be due by the Post Office Department for revenue deficiencies resulting from errors in postage on second-class material at the post office at East Point, Georgia, in the period from July, 1964 through 1967, inasmuch as the material which should have been rated second-class and received second-class service, was on instructions from the Post Office Department and Postmaster, rated, handled and transmitted as third-class material and did not at any time receive second-class treatment.

SEC. 2. Charles N. Martin, Junior is hereby relieved of the obligation of $3,696.80, which represents the differential between second-class and third-class service, and Jack B. Smith, postmaster, is likewise relieved of any obligation related thereto, and the Post Office Department is further instructed to make the necessary bookkeeping entries to remove this item as an amount due inasmuch as second-class service was never rendered.

With the following committee amendments:

Page 1, line 6, strike "$3,696.80" and insert "$3,572.18".

Page 2, line 5, strike "$3,696.80" and insert "$3,572.18".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

WARREN BEARCLOUD, PERRY PRETTY PAINT, AGATHA HORSE CHIEF HOUSE, MARIE PRETTY PAINT WALLACE, AND PERA PRETTY PAINT NOT AFRAID

The Clerk called the bill (H.R. 15805) for the relief of Warren Bearcloud, Perry Pretty Paint, Agatha Horse Chief House, Marie Pretty Paint Wallace, and Pera Pretty Paint Not Afraid.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

RICHARD N. STANFORD

The Clerk called the bill (H.R. 16965) for the relief of Richard N. Stanford.

There being no objection, the Clerk read the bill as follows:

H.R. 16965

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Richard N. Stanford (Chief Warrant Officer, United States Air Force, retired) of Fort Walton Beach, Florida, is relieved of liability to the United States in the amount of $3,044.16, representing the living quarters allowance received by the said Richard N. Stanford as a result of administrative error during the period beginning June 13, 1966, through April 30, 1968, while he was employed by the Department of the Air Force at the Rhein-Main Air Base, Germany. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States credit shall be given for amounts for which liability is relieved by this section.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Richard N. Stanford an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, with respect to the indebtedness to the United States specified in the first section of this Act.

(b) No part of the amount appropriated in subsection (a) of this section in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike "$3,044.16" and insert "1,921.62".

Page 2, line 1, strike "Unitd" and insert "United".

Page 2, line 12, strike "in excess of 10 per centum thereof".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

IRENE SADOWSKA SULLIVAN

The Clerk called the bill (S. 1785) for the relief of Irene Sadowska Sullivan.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER. This concludes the call of the Private Calendar.

ADVERTISING UNDER ALMOND MARKETING ORDERS

Mr. SISK. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 13978) to amend the Agricultural Adjustment Act of 1933, as amended, and reenacted and amended by the Agricultural Marketing Act of 1937, as amended, to authorize marketing research and promotion projects including paid advertising for almonds, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, lines 1 and 2, strike out "striking the period at the end of the first proviso and inserting in lieu thereof" and insert "inserting before the colon at the end of the first proviso the following".

Page 2, line 7, strike out "order." and insert "order".

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. PELLY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 353]

Abbitt	Eilberg	Mathias
Abernethy	Fallon	May
Adams	Farbstein	Mayne
Alexander	Feighan	Meskill
Annunzio	Fish	Mills
Aspinall	Flowers	Mize
Baring	Ford, William D.	Montgomery
Beall, Md.	Gallagher	Murphy, Ill.
Berry	Gaydos	Ottinger
Blackburn	Gilbert	Pettis
Blatnik	Goodling	Pike
Brock	Gray	Pirnie
Brown, Calif.	Halpern	Poage
Brown, Mich.	Hansen, Wash.	Podell
Brown, Ohio	Hays	Powell
Buchanan	Hosmer	Price, Tex.
Button	Hungate	Railsback
Camp	Jarman	Rivers
Celler	Jones, Tenn.	Rodino
Clark	Kuykendall	Roudebush
Clawson, Del	Langen	Ruppe
Clay	Lowenstein	Sandman
Coughlin	Lukens	Scheuer
Cowger	McCarthy	Skubitz
Daddario	McCloskey	Smith, N.Y.
de la Garza	McClure	Springer
Dent	McKneally	Stanton
Devine	Macdonald, Mass.	Symington
Dowdy	Mann	Thomson, Wis.
Dulski		Wilson, Bob
Edmondson		Wold

The SPEAKER. On this rollcall 342 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE COMPREHENSIVE MANPOWER ACT

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1252 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1252

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 19519) to assure an opportunity for employment to every American seeking work and to make available the education and training needed by any person to qualify for employment consistent with his highest potential and capability, and for other purposes, and all points of order against sections 502, 515, and 522 of said bill are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule by titles instead of by sections. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER pro tempore (Mr. Moss). The gentleman from Indiana (Mr. MADDEN) is recognized for 1 hour.

(Mr. MADDEN asked and was given permission to revise and extend his remarks.)

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. SMITH), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1252 provides an open rule with 2 hours of general debate for consideration of H.R. 19519. This comprehensive legislation will answer a long-delayed need for development of a national manpower policy to be implemented by reorganizing and extending the present manpower system. The Education and Labor Committee has held extensive hearings on this manpower legislation. All segments of our economy—business, industry, labor, representatives of the administration—have testified before the Education and Labor Committee on the necessity to streamline, expand, and more effectively establish a system that will, eventually, train and aid millions of our workers, both young people and elderly unemployed, to secure employment and diminish our welfare and relief rolls.

The necessity for the Congress to take decided action on this long-delayed legislation meets the endorsement of about everybody who has read the provisions of this bill. The Secretary of Labor and the Nixon administration entirely endorse the legislation as is evidenced by a letter received by Chairman PERKINS from J. D. Hodgson, Secretary of Labor, which I include with my remarks:

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, September 30, 1970.

Hon. CARL D. PERKINS,
House of Representatives,
Washington, D.C.

DEAR CHAIRMAN PERKINS: It gives me great pleasure to advise you that the bill entitled the Comprehensive Manpower Act, introduced today by Congressmen O'Hara, Quie, and Steiger, has the full support of the administration. This bill is a responsible response to President Nixon's request for comprehensive manpower legislation and is con-

sonant with the basic principles of manpower program reform he proposed.

You may be sure that this bill has my warmest personal support.

Sincerely,

J. D. HODGSON,
Secretary of Labor.

Mr. Speaker, one of the outstanding features of the bill has been to recognize the need to provide for State and local employment program planners to train and provide suitable workers to meet the individual local needs and respond to extraordinary local community conditions. In the past confusion and various activities and administrative restrictions have seriously handicapped the effectiveness of manpower programs. Demands for reform of these unemployment and employment problems have come from members of both political parties and from local program managers and national and regional advisory committees.

This bill will eliminate redtape, streamline many programs and curtail duplication and will train and qualify every American seeking work.

Since the enactment of the Manpower Development and Training Act of 1962 the Economic Opportunity Act of 1964, individual programs have lost much of their flexibility. Proliferation of training programs has led to overlapping and uncoordinated services.

H.R. 19519 provides for a comprehensive manpower services program to provide for referral to employment, training, and related services for unemployed and underemployed persons, veterans, and unemployed youth. This bill will improve the labor market by developing information systems and reducing impediments to employment.

The bill establishes a program of financial assistance to designated prime sponsors, or other public or private employers to help such employers train their employees for higher level jobs.

A public service employment program is authorized and a number of Federal manpower programs are provided: $2 billion is authorized for fiscal year 1972, $2.5 billion for fiscal year 1973, and $3 billion for 1974. In addition, a National Manpower Advisory Committee is provided for comparative evaluation of different manpower programs. This legislation passed the Education and Labor Committee by a vote of 25 to 3.

Mr. Speaker, I urge the adoption of the rule in order that the bill may be considered.

Mr. Speaker, I reserve the balance of my time.

Mr. GROSS. Mr. Speaker, will the gentleman yield before he leaves the well of the House?

Mr. MADDEN. Yes.

Mr. GROSS. Why are points of order waived against sections 502, 515, and 522?

Mr. MADDEN. According to the testimony before the Rules Committee, this was done due to the transfer of funds. That is why the points of order were waived.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, I also wonder about the identity of the author of this resolution which the gentleman from Indiana has submitted to the House, in view of the fact that it says "for the consideration of the bill (H.R. 19519) to assure an opportunity for employment to every American seeking work."

Now, how does this bill assure the opportunity for employment to every American who wants to work?

Mr. MADDEN. Well, it provides opportunities to take advantage of the training programs offered, and that will insure an opportunity for employment, if he is otherwise unqualified.

Mr. GROSS. Someone is a real optimist. Whoever wrote that resolution is a real optimist. I believe the gentleman from Indiana will agree with me on that.

Mr. MADDEN. Well, anyway, it will greatly aid in reducing unemployment which I think is very necessary at this time.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

(Mr. SMITH of California asked and was given permission to revise and extend his remarks.)

Mr. SMITH of California. Mr. Speaker, House Resolution 1252 provides for 2 hours of debate for the consideration of the bill H.R. 19519. It is an open rule. It does waive points of order on sections 502, 515, and 522, because those three sections transfer funds, and it is necessary to waive points of order.

Mr. Speaker, the purpose of the bill is to coordinate and unify many separately funded and administered manpower training programs into a single program to insure maximum benefits for those served.

Over the last decade manpower training programs have grown by leaps and bounds. These programs were developed separately to meet what were believed to be diverse problems or groups. Funds were allocated on a category basis and administrative personnel proliferated. This patchwork approach with difused responsibility among several agencies has made it impossible to establish an effective Federal-State-local partnership for delivery of manpower services.

The President, in his manpower message last year, urged a complete reform and restructuring of our manpower programs. This the bill seeks to do.

State and local planners are to be provided with more flexibility to develop local programs to meet local needs, rather than to be required to fit such needs into a federally developed category assistance program. The bill also eliminates the categorical earmarking of funds and moves to the block-grant approach in which funds are available for manpower programs and services purposes but individual State and local administrators can use funds as they determine best fit their local situations.

The bill seeks to set the framework for a closer partnership between cities and States in planning and administering manpower programs. This is done to help eliminate duplication of programs, gaps in services, and much of the general confusion which now characterizes the situation.

Title I authorizes the Secretary of Labor to provide a comprehensive delivery system for manpower services by way of agreements he will enter into with Governors and mayors of major cities. This authority to restructure the existing programs is the heart of the bill.

Title II establishes a new program for upgrading skills of employed workers and will be incorporated into the restructuring authorized by title I. States will receive 90 percent Federal assistance.

Title III creates a new public service employment program to provide jobs for unemployed persons to whom regular employment is not available. Federal funds will pay 80 percent of the cost of the program. This, too, will be incorporated into the overall program of title I.

The Secretary of Labor is authorized by title IV of the bill to undertake manpower research studies, demonstrations, and pilot projects in order to continuously develop more successful programs. A computerized job bank is also authorized.

The bill authorizes $2,000,000,000 for fiscal 1972 and $3,000,000,000 for 1973. In each year one-quarter of the funds are allocated to title IV projects and the remaining to programs set up in titles I, II, and III. At least 18.75 percent of this must be used for title III programs. The title also allocates funds among the States by formula.

The administration supports the bill. There are no minority views.

Mr. Speaker, I urge adoption of the rule.

Mr. MADDEN. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. PERKINS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 19519) to assure an opportunity for employment to every American seeking work and to make available the education and training needed by any person to qualify for employment consistent with his highest potential and capability, and for other purposes.

The SPEAKER pro tempore (Mr. Moss). The question is on the motion offered by the gentleman from Kentucky (Mr. PERKINS).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 19519, with Mr. BROOKS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Kentucky (Mr. PERKINS) will be recognized for 1 hour, and the gentleman from Wisconsin (Mr. STEIGER), will be recognized for 1 hour.

The Chair recognizes the gentleman from Kentucky (Mr. PERKINS).

Mr. PERKINS. Mr. Chairman, H.R. 19519, the Comprehensive Manpower Act, is one of the most important measures that has been approved by the Committee on Education and Labor this session.

But I would not be standing here today if it were not for the diligent and dedicated efforts of my colleagues JIM O'HARA, DOMINICK DANIELS, BILL STEIGER, and AL QUIE. These are the men who did the work and put together a truly bipartisan bill. They are to be complimented and congratulated.

Mr. Chairman, this bill draws upon many of the best proposals that have been made by Mr. O'HARA, Mr. STEIGER, Mr. HAWKINS, the administration and others who have submitted bills to our committee. It incorporates a number of provisions that were developed over several months by the Senate Labor and Public Welfare Committee. It is the result of direct discussions between committee members of both parties and the Labor Department. The Secretary of Labor has advised me that this bill has "the full support of the administration" and his "warmest personal support." It has been reported out by our committee with a 25 to 3 vote.

In this bill, we do something about rising unemployment; we do something about inadequate public services in our communities; and we do something about simplifying the existing tangle of job training programs.

It will replace the Manpower Development and Training Act of 1962, and the manpower provisions of the Economic Opportunity Act of 1964. Under one broad and flexible authority it will reform the delivery of our manpower training programs.

Since 1962 these programs have grown from $70 million to $1.6 billion a year. Over 1.3 million persons now participate each year in these programs.

At present most of these programs are administered through over 10,000 contracts which the Labor Department has with a wide variety of program sponsors. The scope and complexity of these programs have outgrown the Labor Department's capacity to administer them directly in an efficient and effective manner.

Under the comprehensive manpower act the money to pay for these manpower programs will be given to State and local governments who will be prime sponsors. In this bill a State, a city, or a combination of cities and/or counties are eligible to be designated prime sponsors by the Secretary of Labor.

These prime sponsors will be able to plan and administer comprehensive manpower programs shaped to meet the unique needs of their areas. Such plans will be approved and funded by the Labor Department. Most manpower programs will be conducted through such prime sponsors.

A prime sponsor generally will not operate programs. He will be the local broker. In consultation with his local, broadly representative manpower council, he will identify and enter into agreements with public and private agencies in the community which he feels are best equipped to provide a particular service.

This is a major reform. We used to have federally established programs, each with its own budget. Under that scheme the Labor Department used to tell the communities what services they should and could provide. Now the States and cities are going to tell the Federal Government what they want to do.

The most important thing this bill does, however, is to create jobs. Title III of this bill established a public service employment program. This program will provide jobs for unemployed persons who cannot get regular work. Local officials—such as your mayors or county judges—Governors, and other public agencies and institutions will design and operate these programs. We feel that there are many, many needed public services in such areas as health, public safety, education, rural development, recreation, maintenance of parks, streets and other public facilities, solid waste removal, housing, beautification, and conservation. We see this program as having a double benefit: It will give people worthwhile jobs, and it will help provide urgently needed services to the community.

I know that down my way we need this type of program in the worst sort of way. Just in a three- or four-county area around my home county I would estimate we could put 500 to 600 people to work repairing buildings and roads and houses and restoring the environment which is being torn up by all the strip mining, and performing many other tasks which would tremendously benefit these little rural communities where there is no job opportunities and no chance this work would get done any other way.

The committee has taken great pains to assure that these will be real, not "make work" jobs. In addition, where the applicant and the Labor Department agree it is appropriate, further training to public service employees will be provided under other titles in the act in order to qualify them for jobs not supported under this act.

The need for a program of public service employment has long been stressed by many public officials, economists, and manpower experts. Its enactment at this time is vital. Unemployment has now reached 5.5 percent, the highest rate in 7 years. During the months that this legislation has been under consideration, the ranks of the unemployed have increased by 1.7 million persons.

Finally, title IV of the bill gives the Secretary authority to make direct Federal grants in order to continue some nationally administered programs such as the Green Thumb for older workers, special programs for Indians, Job Corps, and some pilot and demonstration programs.

These are the highlights of the Comprehensive Manpower Act. I would now like to insert a brief title-by-title summary:

TITLE-BY-TITLE SUMMARY

TITLE I—MANPOWER SERVICES PROGRAM

This title authorizes the Secretary of Labor, principally through agreements with Governors and mayors of larger cities (100,000 population or more) and rural areas with high unemployment and substantial outmigration, acting as "prime sponsors", to provide a decentralized, comprehensive delivery system for manpower services. Prime sponsors, submitting acceptable plans, will be authorized to design a manpower program incorporating the "mix" of services which best meets local needs and problems. All workable and effective forms of remedial actions are authorized, including program approaches developed under current legislation MDTA-type training, neighborhood youth corps projects, work experience and training of the "mainstream" and "new careers" variety and so forth.

Section 104 provides that the following shall be eligible to the prime sponsors:

(1) Any State;

(2) Any city with a population of 100,000 or more;

(3) Any county or other unit of general local government of 100,000 or more persons having general governmental powers substantially similar to a city and serving a susbtantial part of a functioning labor market area;

(4) The largest city of any State which does not have a city of 100,000;

(5) Any combination of units of local general government covering a geographical area having a population of 100,000 or more and which serves a substantial part of a functioning labor market area;

(6) Units of government in rural areas with substantial outmigration and high unemployment, irrespective of the population criterion.

At present, the Department of Labor is dealing with over 10,000 different sponsors in administering various manpower programs under their jurisdiction. Under this bill that number would be substantially reduced because most manpower programs will be conducted through such prime sponsors. It would appear that after the criteria in the bill are applied, some 300 to 350 units of government would qualify for prime sponsor status.

TITLE II—OCCUPATIONAL UPGRADING

This title establishes a new program for upgrading the skills of workers in private and public employment. Employers will be assisted in meeting the training costs of moving employees to more responsible and better paying jobs and, at the same time, opening up entry opportunities for unemployed workers. Bonuses will be awarded to employers who retain upgraded employees for 1–2 years after their training.

TITLE III—PUBLIC SERVICE EMPLOYMENT

This title establishes a public service employment program. This program will provide employment in needed public services for unemployed and underemployed persons for whom other employment is not available. Eligible applicants are the prime sponsors I just described and other public agencies and institutions. Federal funds will be available to pay 80% of the program cost.

The creation of a public service employment program reflects the recognition that an effective manpower policy must include massive job creation. "The comprehensive manpower act" now before you authorizes that a minimum of 18 and ¾ percent of the annual funds appropriated be used for title III. If, for example, 2 billion is appropriated for fiscal year 1971, a minimum of $375 million would be devoted to public service employment. Thus, at an average cost of $5,000 per job, for example, (the Federal Government would pay 80 percent of the costs, or $4,000) about 94,000 new jobs would be created.

Clearly the need for public service employment exists. The Kerner Commission recommended 1 million jobs. The commission on technology, automation and economic progress in 1966 stated that there are 5.3 million jobs that can be filled. A study done by Harold Shepard for the Upjohn Institute based on a survey of mayors indicates that 143,000 jobs could be quickly filled by the disadvantaged in the cities of 100,000 or more in municipal agencies alone if Federal funds were available for salary support.

With the national overall unemployment rate at 5.5 percent in September additional jobs are needed in the inner cities and rural areas that feed the urban unemployment pools. At the 27 days of hearings the select subcommittee on labor held on proposed comprehensive manpower legislation, the committee learned that existing training programs are undermined because of an acute shortage of jobs for those who graduate.

The AFL–CIO testified:

"A Federal program to create public service jobs for the longterm unemployed and seriously underemployed was needed in 1968 and 1969. It is even more essential today . . . While no one would deny the importance of training in helping the disadvantaged to adjust to society, training in and of itself is not enough. It would compound the problem to give training and hope to the disadvantaged and then throw them back into the morass from which they came. We must not make this mistake."

The noted economist Professor Charles G. Killingsworth also attested to the urgent need for developing a large-scale public service employment program now. He said that "the great merit of a public service employment program is that it could be aimed specifically at those sectors of the labor market that benefit least from the growth of aggregate demand." That is, the less-skilled and the less-educated reap much less than a proportionate share of the benefits of economic growth. Having the Government create some new jobs is the best way to remedy this situation.

TITLE IV—SPECIAL FEDERAL RESPONSIBILITIES

This title authorizes the Secretary of Labor to conduct a program of manpower research studies and experimental, demonstration and pilot projects. In addition, the Secretary is called upon to develop a comprehensive system of labor market information and to conduct a program of manpower utilization in labor shortage and labor surplus areas. The title authorizes a program of evaluation studies, a joint labor-OEO study of anticipated barriers to employment and training and technical assistance for persons engaged in the administration of manpower programs.

This title also instructs the secretary to develop a national computerized job bank and to launch and report on a special research-pilot program on developing employment opportunities for disadvantaged persons in federally-assisted programs. It provides that the secretary may conduct services and activities authorized elsewhere in the bill and incorporates the provisions for the job corps currently contained in the economic opportunity act.

TITLE V—MISCELLANEOUS

This title contains a series of miscellaneous provisions, including appropriations, funding, reports, relationships with other agencies and effects of existing laws. Appropriations authorized under this title rise from $2 billion for FY 1972 to $3 billion for FY 1974. Funds are to be allocated as follows: Three-quarters for the conduct of title I, II and III and one-quarter for title IV. On a nationwide basis, not less than 18.75 percent appropriated under the act is to be used for public service employment under title III. The title also provides for allocation of funds among the states and areas and provides additional financial assistance to governmental units which cooperate on an areawide basis and to prime sponsors who coordinate with vocational education agencies.

Mr. Chairman, this bill is a major step in the direction of assuring every American citizen an opportunity for gainful productive employment. It is no cure-all, but it is our best effort in this vitally important area.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. Mr. Chairman, I thank the gentleman for yielding.

There were a couple of questions I wanted to direct to the Chairman on title I and on title III. The Chairman makes the statement that it would not weaken vocational education. However, is it not true that under title I we would authorize mayors, community action agencies to set up dual training systems including almost every educational function, and there is no requirement that they use the existing school system. Is that not true?

Mr. PERKINS. Let me say to the gentlewoman from Oregon, with all her knowledge and ability, she can realize that it is not our intention to nor does this bill set up another or a "dual training system" throughout America. This bill permits a better organized system of delivering manpower programs, utilizing existing agencies more effectively than under existing manpower legislation. At this point let me summarize those provisions of the bill calling for an educational agency involvement.

The Comprehensive Manpower Act, H.R. 19519, consolidates existing authority now contained principally in title I(B) of the Economic Opportunity Act and the Manpower Development and Training Act.

Let me say to the gentlelady from Oregon that title I(B) of the Economic Opportunity Act contains no specific requirement with respect to the utilization of vocational education agencies and resources.

The provisions of the Comprehensive Manpower Act requiring the involvement and utilization of vocational education agencies and resources are applicable to both the authorities formerly contained in the Manpower and Development and Training Act and the authorities formerly contained in title I(B) of the Economic Opportunity Act.

Section 104(b)(2) requires vocational education agencies to be represented on the Manpower Council of the prime sponsor. In this connection section 104(b)(2) specifies as one of the conditions for the establishment of a manpower services council, and I quote: "Provide that the council shall include members who are representatives of community action programs; the public employment service; education and training agencies and institutions, including vocational educational agencies and community post secondary educational and training institutions; social service programs, including child care, environmental quality, health, recreational, vocational rehabilitation, and welfare agencies; industrial development organizations; apprenticeship programs, business; labor; and veterans organizations";

Section 105(b)(6) requires that to the extent appropriate use of local services already available including specifically the vocational educational agencies. This requirement deals with applications of prime sponsors and the section specifically provides: "utilizing, to the extent appropriate, those services and facilities which are available, with or without reimbursement of the reasonable cost, from Federal, State and local agencies, including but not limited to the State employment service, State vocational education and vocational rehabilitation agencies, area skills centers, local educational agencies, postsecondary training and education institutions, and community action agencies, but nothing contained herein shall be construed to limit the utilization of services and facilities of private agencies, institutions and organizations (such as private businesses, labor organizations, private employment agencies, and private educational and vocational institutions) which can, at comparable cost, provide substantially equivalent training or services or otherwise aid in reducing more quickly unemployment or current and prospective manpower shortages";

Section 108 of the bill requires the concurrence of the Department of Health, Education, and Welfare for any financial assistance for services of a "health, education, or welfare nature."

In this regard, section 108(a) provides and I quote:

The Secretary of Labor shall not issue rules, regulations, standards of performance, or guidelines with respect to assistance for services of a health, education, or welfare character under this title and he shall not provide financial assistance for services of a health, education, or welfare character under this title unless he shall have first obtained the concurrence of the Secretary of Health, Education, and Welfare. Such services include but are not limited to basic or general education; educational programs conducted in correctional institutions; institutional training; health, child care, and other supportive services; and new careers and job restructuring in the health, education and welfare professions.

With respect to title IV of the Comprehensive Manpower Act dealing with research and demonstration in the manpower field concurrence in any training components must be obtained from the Secretary of Health, Education, and Welfare. The language is to be found in section 401(b) which reads in part:

Where programs under this paragraph require institutional training, appropriate arrangements for such training shall be agreed to by the Secretary of Labor and the Secretary of Health, Education, and Welfare.

In section 504 a bonus funding incentive is provided to encourage prime sponsors to involve vocational education agencies in program development and activities. The specific language is to be found in section 504(d) and reads:

(d) The amount available pursuant to clause (1)(B) of subsection (a) for the purposes of this subsection shall be available to the Secretary for the purpose of providing additional financial assistance as an incentive for the establishment by the prime sponsor of appropriate procedures for coordination and cooperation with agencies administering vocational education programs in the area to be served by any such sponsor. Financial

assistance provided to any such prime sponsor may not exceed an amount equal to an additional 20 per centum of the financial assistance otherwise available to such prime sponsor under subsection (b) of this section. The Secretary, with the concurrence of the Secretary of Health, Education, and Welfare, shall establish criteria for the establishment of such procedures.

Finally, let me say to the gentlelady—which to me further emphasizes the importance which the committee and the Congress attaches to the involvement of existing educational agencies and resources—there are requirements for reports from the Secretary of Labor and the Secretary of Health, Education, and Welfare regarding the utilization of vocational education resources in manpower programs. In this regard section 525(a) reads:

The Secretary of Labor and the Secretary of Health, Education, and Welfare shall report to the Congress by January 20, 1972, on the extent to which community colleges, area vocational and technical schools, and other vocational educational agencies and institutions are being utilized to carry out manpower training programs supported in whole or in part from provisions of the Economic Opportunity Act of 1964, the Manpower Development and Training Act of 1962, and this Act, the extent to which administrative steps have been taken and are being taken to encourage the use of such facilities and institutions and agencies in the carrying out of the provisions of this Act and any further legislation that may be required to assure effective coordination and utilization of such facilities and agencies to the end that all federally supported manpower and vocational educational programs can more effectively accomplish their objectives of providing all persons needing occupational training an opportunity for such training.

Mr. Chairman, at this point I would like to insert in the RECORD communications of endorsement for the legislation and acclaim for certain features of the Comprehensive Manpower Act expressed in a letter of November 17 to me from the National League of Cities and the U.S. Conference of Mayors, a letter of November 16 from the executive director of the American Vocational Association to my distinguished colleague from Michigan, Mr. JAMES G. O'HARA, a memorandum from the Chairman of the National Advisory Council on Vocational Education of November 13 to the Chairman of the State Advisory Councils on Vocational Education, a letter from the Executive Director of the American Vocational Association to the Assistant Secretary for Manpower dated November 12, a communication from the Secretary of Health, Education, and Welfare dated November 13 to the Chairman of the National Advisory Council on Vocational Education, a communication from the Assistant Secretary for Manpower in the U.S. Department of Labor dated November 13 to the Executive Director of the American Vocational Association, a communication dated November 12 addressed to the Chairman of the National Advisory Council on Vocational Education from the Assistant Secretary for Manpower in the U.S. Department of Labor and a communication dated November 12 addressed to the Chairman of the National Advisory Council on Vocational Education from my distinguished colleagues, JAMES O'HARA and BILL STEIGER:

NATIONAL LEAGUE OF CITIES,
U.S. CONFERENCE OF MAYORS,
Washington, D.C., November 17, 1970.

Hon. CARL D. PERKINS,
Chairman, Committee on Education and Labor, Rayburn House Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: The mayors throughout the nation strongly endorse and urge the immediate passage of H.R. 19519, "The Comprehensive Manpower Act." This bill warrants their full support because of two basic concepts: first, this legislation would for the first time give local elected officials the opportunity to place and operate manpower programs; second, this legislation if enacted would result in a public service employment program launched from the Federal level to local governments thereby providing jobs that are sorely needed at a time when unemployment continues to rise.

For a number of years the U.S. Conference of Mayors and National League of Cities have supported manpower development and training programs which enable citizens to be trained and placed in meaningful jobs. We have repeatedly urged that Mayors be allowed to assume leading roles in the coordination of manpower programs at the local level.

In 1967, the Senate considered the Emergency Employment Act of 1967 which would have provided Federally funded jobs at the local level. This measure unfortunately failed by only a few votes. Both the National League of Cities and the U.S. Conference of Mayors were in the forefront pushing for this legislation.

Later, in 1968 at both of the Annual Conventions of the League and the Conference, resolutions and policy were adopted urging the Congress to pass legislation giving the mayors the opportunity to plan and operate local manpower programs. In addition, both organizations urged immediate adoption of a massive public service employment program. At every Annual Convention of our organizations since 1968, manpower—training and jobs for the unemployed and underemployed—has been a major topic of discussion.

Resolutions and policy are mere words unless supported by action. For the past 18 months we have taken the course of action through manpower seminars which have been held throughout the country and which have involved city officials of over 100 cities. The seminars were most productive in that they demonstrated the willingness on the part of local officials to become directly involved in seeking solutions to the problem of providing training and providing jobs at the local level. And through these discussions the need for the mayor to be the major coordinating force and the need for a massive public service employment program was quite clear. Fortunately, as mentioned above, the manpower legislation before you contains these concepts.

It was after these seminars, this display of interest in manpower programs on the part of the local officials, that the U.S. Department of Labor offered grants to approximately 135 of our larger cities to provide mayors with manpower planning personnel. As of the first of November, 87 cities had secured final approval of their grant applications; others were awaiting funding. This personnel will indeed help local officials in preserving and developing our human resources.

There are those concerned about the conflict at the local level as to who will operate these programs if the legislation before you is enacted. A few years ago there was evidence that in some cities the community action agency and city hall were at odds. But, on the whole, that is no longer true today. A recent report released by the National Association of Community Development shows that the mayors are increasingly taking the lead in coordinating the various manpower programs and that community action agencies, which have a coordinating role are beginning to look with favor on the trend. Quoting from the report:

The Mayors of America's cities are in a very pivotal position with regard to manpower. . . . In most cases, the Mayors are seen by the community action agencies not as a threatening force, but potentially as a helpful force in the coordinating of manpower programs. The basis of an alliance exists between the community action agency and the Mayors in seeking greater local determination and control.

Hopefully the facts outlined above will clear some of the questions relative to the mayors' desire to take a lead role in local manpower programs and as to how the mayors' role in coordinating these vital programs is perceived at the local level.

We again urge on behalf of the nation's mayors immediate passage of H.R. 19519, "The Comprehensive Manpower Act". Much of our legislative effort was spent earlier this year in pushing the bill through the Senate. We were most pleased by the large vote on manpower legislation, similar to the House bill, by that body. We urge you to use your influence to secure immediate action in the House so that a bill can be approved and forwarded to the President before this session ends.

In conclusion, we would like to point out that the mayors are attempting to cope with the unemployment now facing the nation with limited authority and limited resources. This legislation, if enacted and implemented immediately, would go a long way in assisting them in meeting the basic need—a decent job with a decent wage—for many of our citizens. With continuing rise of unemployment that basic need cannot be met without the help of the Federal government.

Sincerely,

JOHN J. GUNTHER,
Executive Director.

AMERICAN VOCATIONAL ASSOCIATION, INC.,
Washington, D.C., November 16, 1970.

Hon. JAMES G. O'HARA,
U.S. House of Representatives, Washington, D.C.

DEAR MR. O'HARA: This is in response to your request for comments on the Comprehensive Manpower Act (H.R. 19519). We concur with the overall purpose of this bill "To assure an opportunity for employment to every American seeking work and to make available the education and training needed by any person to qualify for employment consistent with his highest potential and capability . . ."

Also, it has become apparent that the responsibility for the administration of a manpower development program must be tied down to prevent duplication, overlapping and inefficiency in the management of the program.

Our prime concern is that of making the public education system responsive and responsible for providing the education and training component of any manpower development program.

We commend the architects of this legislation for including the following provisions:

(a) Vocational educators shall serve on the Manpower Services Councils (Sec. 104(b)).

(b) Prime sponsors must use to the extent appropriate the services and facilities of vocational and technical schools and area skill centers in carrying out the institutional training and educational components of a comprehensive manpower plan (Sec. 105(b)(6)).

(c) Through the State comprehensive manpower plan the State must take additional steps to assure the participation of State-supported vocational education agencies in prime sponsors' programs in order to avoid unnecessary duplication of facilities and activities (Sec. 107(b)(1–2)).

(d) Beyond regular program funds special incentive grants (up to $75 million in FY 72 will be made to State and local prime sponsors who develop exemplary linkages between manpower programs and vocational education (Sec. 504(d)).

(e) HEW and Labor must concur in *any* rules, regulations, standards of performance, and guidelines which would affect the role and function of vocational education agencies (Sec. 108).

(f) *Any* components of comprehensive manower program applications which deal with vocational education and institutional training must be approved jointly by HEW and Labor (Sec. 108).

(g) Within six months of the CMA's effective date, HEW and Labor must report to Congress on the utilization of area vocational and technical schools under CMA and the steps taken to increase their utilization and effectiveness (Sec. 525(a)).

(h) At the same time, the U.S. Office of Education must report to Congress on the extent to which vocational education activities and goals are being incorporated into general elementary and secondary education programs (Sec. 525(b)).

The exchange of letters between Malcolm R. Lovell, Jr., Assistant Secretary for Manpower, U.S. Department of Labor, and myself answers some of our concerns about specific provisions of the bill and helps to clarify the intent of the legislation. (Copies of letters attached)

It is our intent to stimulate the public schools to provide education and training to carry out the mandates of this legislation. It is also our intention to be alert to bypassing the schools in the delivery of the educational component of this legislation.

The position of the American Vocational Association in regard to manpower legislation is stated in the resolution approved by the AVA House of Delegates, December 10, 1969. (Copy attached)

In view of the apparent safeguards to that portion of the public being served under this legislation to assure that they have opportunities for an educational program that provides them upward mobility in career development, we believe this legislation will make a major contribution to resolving some of our Nation's social and economic problems.

Sincerely yours,

LOWELL A. BURKETT,
Executive Director.

NATIONAL ADVISORY COUNCIL
ON VOCATIONAL EDUCATION,
Washington, D.C., November 13, 1970.

To: Chairmen, State Advisory Councils on Vocational Education.

Following the meeting of the Chairmen and Executive Directors of the State Advisory Councils on Vocational Education with members of the National Advisory Council on Vocational Education in Washington on November 6–7, 1970, we took up your concerns as expressed in the passed resolutions (enclosed) with representatives of the Department of Health, Education, and Welfare, the Department of Labor and members of Congress.

Those with whom we spoke were sympathetic with these concerns and enclosed are responses from Malcolm R. Lovell, Jr., Assistant Secretary of Labor for Manpower, Congressman James G. O'Hara (D), Michigan, and Congressman William A. Steiger (R), Wisconsin, and Secretary of Health, Education, and Welfare, Elliott Richardson. These responses go a long way toward relieving the concerns that were expressed at the meeting.

It now seems appropriate that the efforts of both the State and National Advisory Councils on Vocational Education should be directed toward seeing that the views expressed by these responsible national officials are carried out in practice.

Sincerely,

HUGH CALKINS,
Chairman.

AVA POLICY RESOLUTIONS

(Adopted by the House of Delegates, December 10, 1969, Boston, Mass.)

10. MANPOWER LEGISLATION

Whereas, the first annual report of the National Advisory Council on Vocational Education has highlighted the failure of our schools to educate to the level of adequate employability nearly 25 percent of the young men and women who turn 18 each year as a waste of money as well as human resources; and

Whereas, the violence, unrest, and alienation of thousands of Americans are, in part, a result of unemployment and unequal opportunity; and

Whereas, the Manpower Development and Training Act of 1962 has provided both jobs and basic education and training for more than one million persons, many of whom came from the ranks of the hard core unemployed; and

Whereas, the Vocational Education Amendments of 1968 are directed toward meeting the social and economic needs of all people of all ages of all communities:

Therefore, Be It Resolved, that the American Vocational Association through its members, give support to legislation to extend and improve manpower programs in order that education and training may be made available for the population that has not been served by the traditional system of education; and

Be It Further Resolved, that the American Vocational Association, through its members, work for legislation that will strengthen and improve the educational components of manpower development including guidance, thereby making vocational education and guidance an integral part of the nation's manpower policy; and

Be It Further Resolved, that the American Vocational Association, through its members, support legislation to implement a total program of vocational education and guidance to the end that the schools, as established institutions of our society, provide for the career development needs of all persons.

AMERICAN VOCATIONAL ASSOCIATION, INC.,
Washington, D.C., November 12, 1970.

Hon. MALCOLM R. LOVELL, JR.,
Assistant Secretary for Manpower,
U.S. Department of Labor,
Washington, D.C.

DEAR MR. LOVELL: Since 1917 it has been the responsibility of the public schools of this Nation to provide education and training to supplement the on-the-job training done by business and industry in developing the manpower resources of this Nation.

In 1962, the Manpower Development and Training Act recognized the need to further expand educational services to disadvantaged individuals to make them employable. The schools were given responsibility for the educational component of the manpower program. We believe that the arrangements in the 1962 Act have helped to make the public schools more responsive to this need.

The pending manpower legislation could very well destroy this relationship unless some assurances are built into the legislation. I have reviewed H.R. 19519 and the report on this legislation and recognize that certain promises are implied. We must both be frank to admit that vocational education and Department of Labor representatives, in many cases, differ philosophically and practically in their approach to manpower development.

I am firmly convinced that there is a need for a cooperative working relationship. As the legislation is now drafted, the Department of Labor will have the responsibility for expenditure of Federal funds and thus control the program.

In view of the fact that both the Executive and Legislative Branches of the Federal Government look upon this legislation with favor, I hope that you will be agreeable to making provisions in the development of intent of this proposed legislation, for adequate funds and job slots in the Department of Health, Education, and Welfare to carry out its powers of concurrence. I am assuming that concurrence also means a veto power by the Department of HEW if programs are not educationally sound. Funds should also be available to state and local public education systems to employ staff to coordinate ongoing vocational education programs with the new programs proposed in this legislation.

We would very much appreciate having some assurance from the Department of Labor that adequate staff will be available to the Department of HEW, the Bureau of Vocational-Technical Education, and the state departments of education to enable education to fulfill its role in providing the educational component of manpower development.

I will appreciate hearing from you.

Sincerely yours,

LOWELL A. BURKETT,
Executive Director.

THE SECRETARY OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D.C., November 13, 1970.

Mr. HUGH CALKINS,
Chairman, National Advisory Council on Vocational Education, Washington, D.C.

DEAR HUGH: The Department of Health, Education, and Welfare strongly supports the proposed Comprehensive Manpower Act (H.R. 19519). This proposed piece of legislation will assist the Department to make vocational education more effective in meeting the manpower needs of our nation. It will provide a vehicle for vocational educators to act as partners in the planning and implementing of a comprehensive manpower system.

I believe that the bill gives me the responsibility and the opportunity to review and clear all Federal rules, regulations, and standards of performance which could effect educational programs and other programs under the traditional purview of the DHEW. Pursuant to this authority we will exercise a preclearance on the above aspects of State plans and other program plans. The requirement of concurrence gives me the opportunity to ensure that program sponsors of manpower programs will look to existing vocational education facilities, area school centers and post-secondary technical schools to the full extent of their capability to provide institutional training and basic and remedial education under a community comprehensive manpower program.

I understand there has been some concern among the State advisory councils that this bill might create a "dual school system." I believe that this is without foundation.

The Department of Health, Education, and Welfare must report to Congress early in the process of implementing this bill on the extent to which the vocational education agencies are being utilized. This report will provide the Congress with ample opportunity to see that its intent is fully carried out.

I am pleased to know of your interest in this bill and the active manner in which both the State and National Advisory Councils are carrying out their responsibilities

under the Vocational Education Amendments of 1968.

Sincerely,

ELLIOT RICHARDSON,
Secretary.

U.S. DEPARTMENT OF LABOR,
Washington, D.C., November 13, 1970.

Mr. LOWELL A. BURKETT,
Executive Director, American Vocational Association, Washington, D.C.

DEAR MR. BURKETT: I appreciate very much your recent letter and want to assure you that I am most sensitive to the concerns you have expressed. In our view the proposed Comprehensive Manpower Act (H.R. 19519) will greatly strengthen the opportunities for vocational education to develop our Nation's manpower. I want to assure you and your membership that the Department of Labor is committed to the fullest utilization of the educational system under this bill, which has the full support of the Administration.

As one who has served both the educational system and manpower programs in my public life, I share the aversion to the possibility that a "dual school system" might ever emerge—one serving the advantaged middle-class, the other serving the poor and disadvantaged. General educational and occupational skill training opportunities must be part of a continuous process, available to all citizens as best suits their individual needs.

The Department of Labor has taken careful steps to assure that the Nation's vocational educators are integral partners in planning and implementing a comprehensive manpower system.

At the State and local level representatives of general and vocational education programs and post-secondary training must serve on the Manpower Services Councils. Responsible to the Governors and Mayors (or other local elected officials) serving as prime sponsors, these councils will have major roles in planning and evaluating local manpower programs. Through Federal regulations it will be clear that the educational community must be represented on these councils by officials such as the Superintendent of Schools, the Director of Post-Secondary Education, and others who have major and substantive responsibility for the community's educational programs.

Second, State and local prime sponsors will rely upon existing vocational education facilities, area skill centers, post-secondary technical schools for the provision of institutional training and basic and remedial education under a community's comprehensive manpower program. The proposed Comprehensive Manpower Act contains strong safeguards against the duplication of facilities and programs or the utilization of the existing educational resources to less than their full capability.

As evidence of the Labor Department's commitment to this policy, it was through our initiative that the incentive funds set aside to stimulate exemplary utilization of the vocational education system under the House bill were more than doubled over the level allowed under the Senate's manpower bill. We view these funds (up to $75 million under a $2 billion authorization) as offering an opportunity for very creative and innovative programs and for strengthening the staffing of State Departments of Education and local vocational education agencies in fulfilling their enlarged responsibilities under this Act.

We strongly support the requirement, introduced by Congressman Lloyd Meeds, that the Department of Labor and the Department of Health, Education and Welfare report to Congress early in the process on the extent to which the vocational education agencies are being utilized under the Comprehensive Manpower Act. We also fully support the intent of the special report, to be prepared by the Commissioner of Education, on the integration of vocational and general education objectives throughout the Nation's school systems. Effective vocational orientation and preparation at the earlier stages of a child's life would obviate the long-term need for many of our adult manpower training efforts.

Finally, the Comprehensive Manpower Act requires the concurrence of the Secretary of Health, Education and Welfare in any actions under the Act of an educational nature. This responsibility extends both to the development and issuance of rules, regulations, guidelines, or standards of performance which would affect educational programs and the approval of the educational and institutional training components of annual comprehensive program plans and individual project grants. Clearly, as our full partner in implementing new manpower legislation HEW will have both the responsibility and the authority to disapprove any programs which are not educationally sound.

We recognize that HEW will require effective staff capability both nationally and in its regional and field offices to carry out this major responsibility. I want to assure you that the Department of Labor will lend its vigorous support to HEW's staffing requirements under the Administration-supported Comprehensive Manpower Act.

As both Assistant Secretary of Labor for Manpower and one who is vitally concerned with vocational education, I deeply value your support and look forward to the guidance and leadership which the American Vocational Association can provide in strengthening our partnership under the Comprehensive Manpower Act.

Sincerely,

MALCOLM R. LOVELL, Jr.,
Assistant Secretary for Manpower.

U.S. DEPARTMENT OF LABOR,
Washington, D.C., November 12, 1970.

Mr. HUGH CALKINS,
Chairman, National Advisory Council on Vocational Education, Washington, D.C.

DEAR MR. CALKINS: The proposed Comprehensive Manpower Act (H.R. 19519) is an unparalleled opportunity to strengthen the partnership between manpower programs and vocational education in the development of our Nation's manpower. I want to assure you (and other vocational educators who may have expressed their concern) that the Department of Labor is committed to the fullest utilization of mainstream educational institutions under the Administration-supported bill.

As one who has served both the educational system and manpower programs in my public life, I share the aversion to the possibility that a "dual school system" might ever emerge—one serving the advantaged middle-class, the other serving the poor and disadvantaged. General educational and occupational skill training opportunities must be part of a continuous process, available to all citizens as best suits their individual needs.

The Department of Labor has taken careful steps to assure that the Nation's vocational educators are integral partners in planning and implementing a comprehensive manpower system.

At the State and local level representative of general and vocational education programs and post-secondary training must serve on the Manpower Services Councils. Responsible to the Governors and Mayors (or other local elected officials) serving as prime sponsors, these councils will have major roles in planning and evaluating local manpower programs. Through Federal regulations it will be clear that the educational community must be represented on these councils by officials such as the Superintendent of Schools, the Director of Post-Secondary Education, and others who have major and substantive responsibility for the community's educational programs.

Second, State and local prime sponsors will rely upon existing vocational education facilities, area skill centers, post-secondary technical schools for the provision of institutional training and basic and remedial education under a community's comprehensive manpower program. The proposed Comprehensive Manpower Act contains strong safeguards against the duplication of facilities and programs or the utilization of the existing educational resources to less than their full capability.

As evidence of the Labor Department's commitment to this policy, it was through our initiative that the incentive funds set aside to stimulate exemplary linkages between manpower programs and vocational education were more than doubled over the level allowed under the Senate's manpower bill. We view these funds (up to $75 million under a $2 billion authorization) as offering an opportunity for very creative and innovative programs.

We strongly support the requirement, introduced by Congressman Lloyd Meeds, that the Department of Labor and the Department of Health, Education and Welfare report to Congress early in the process on the extent to which the vocational education agencies are being utilized under the Comprehensive Manpower Act. We also fully support the intent of the special report, to be prepared by the Commissioner of Education, on the integration of vocational and general education objectives throughout the Nation's school systems. Effective vocational orientation and preparation at the earlier stages of a child's life would obviate the long-term need for many of our adult manpower training efforts.

Finally, the Comprehensive Manpower Act requires the concurrence of the Secretary of Health, Education and Welfare in any actions under the Act of an educational nature. This responsibility extends both to the development and issuance of rules, regulations, guidelines, or standards of performance which would affect educational programs and the approval of the educational and institutional training components of annual comprehensive program plans and individual project grants.

We recognize that HEW will require effective staff capability both nationally and in its regional and field offices to carry out this major responsibility. I want to assure you that the Department of Labor will lend its vigorous support to HEW's staffing requirements under the Comprehensive Manpower Act.

As both Assistant Secretary of Labor for Manpower and one who is vitally concerned with vocational education, I look forward to new challenges and opportunities for creative partnership under the Administration-supported Comprehensive Manpower Act.

Sincerely,

MALCOLM R. LOVELL, Jr.,
Assistant Secretary for Manpower.

CONGRESS OF THE UNITED STATES,
Washington, D.C., November 12, 1970.

Mr. HUGH CALKINS,
National Advisory Council on Vocational Education, Washington, D.C.

DEAR MR. CALKINS: It has come to our attention that members of the National and State Advisory Commissions on Vocational Education have expressed concern over the legislative intent of some of the provisions of H.R. 19519, the Comprehensive Manpower Act. For the benefit of your membership, as well as that of the State Advisory Commissions, we would like to comment on these questions.

First, some concern has been expressed over the meaning of "concurrence" as used in H.R. 19519. Sec. 108(a) of H.R. 19519 states that "the Secretary of Labor shall not issue rules, regulations, standards of performance or guidelines with respect to assistance for services of a health, education, or welfare character under this title and he shall not provide financial assistance for services of a health, education, or welfare character under this title unless he shall have first obtained the concurrence of the Secretary of Health, Education, and Welfare. Such services include but are not limited to basic or general education; educational programs conducted in correctional institutions; institutional training; health, child care and other supportive services; and new careers and job restructuring in the health, education, and welfare professions."

The phrase "The Secretary of Labor shall not issue rules . . . shall not provide financial assistance . . . unless he has first obtained the concurrence of the Secretary of Health, Education, and Welfare" cannot reasonably be interpreted to mean anything *but* that the Secretary of Health, Education, and Welfare must give his *prior approval* before the Secretary of Labor can do those things.

It seems to us that the very words of the legislation thus leave no room for doubt that the intention of the bill and of its sponsors is that the Secretary of Health, Education, and Welfare will take positive action on such matters, not merely give them passive acknowledgment.

The second assertion which has been brought to our attention is that this bill somehow conceals an intent to create a "dual school system". This is without foundation.

The Committee Report addresses itself to that fear, and seeks to show that any such concept is foreign to the intent of the sponsors of this legislation.

The Congress has repeatedly rejected the notion of a "dual school system", and sponsors of this bill join in that rejection.

In fact, far from making a "dual school system" possible, the bill is replete with provisions for linkages with existing vocational educational institutions. Section 104 requires vocational educators to be a part of the manpower councils which develop comprehensive plans for the prime sponsor. Sec. 106(b) requires the use of existing educational services and facilities, to the full extent appropriate. Section 504(d) provides a financial incentive to prime sponsors to create and utilize linkages with existing vocational education institutions. Sec. 525 provides for two separate reports on the utilization of such existing institutions.

In conclusion, then, we hope this letter will clarify what had seemed to us to be the obvious intent of H.R. 19519.

Very truly yours,

JAMES G. O'HARA,
WILLIAM A. STEIGER,
Members of Congress.

Mrs. GREEN of Oregon. If I may I should like to restate my question. In fact, I agree with the chairman that community action agencies ought to be on the advisory council. My question was, however, does not this bill give the authority to a mayor or to a community action agency not just to be on the council but to set up an entire educational training system, developing comprehensive manpower programs, which includes all the 22 manpower training programs we have included, including those in correctional institutions, do job placement, do counseling, and guidance? Section 107 (b)(2) also requires State employment directors to share Wagner Peyser resources and facilities. Is it not true that this bill does allow a community action agency not only to be on the council but also to set up a dual training system in the various parts of the bill? Is that not true?

Mr. PERKINS. Let me say to the distinguished gentlelady that this bill permits a community action agency to become a prime sponsor only in the event that some local governmental unit fails to take action or fails to submit a plan.

We felt—and I believe rightly, because some community action agencies are presently administering several of these programs—they should be able to submit a plan, where it developed that no plan would be submitted to serve the poor, unless the community action agency acts.

But the bill does not provide that the community action agency would have priority to be the prime sponsor over applications of the cities, counties, or the States which want to and qualify to become prime sponsors.

Mrs. GREEN of Oregon. The House language is ambiguous as to whether the State or the community action agency would come after the city if the city does not choose to administer a comprehensive program. The Senate language is very clear, in the Senate report, that it is the intention for the community action agencies to run the comprehensive manpower program, and the House language is ambiguous on that on page 16, lines 1 to 11 and page 17, lines 13 to 18.

Mr. PERKINS. The House language, to my way of thinking, is very clear. We provide that where cities are eligible to become prime sponsors they will take preference over the State. If the cities want to become prime sponsors the community action agencies will not be the prime sponsors. But where dereliction has taken place somewhere along the line and it is necessary to come forth with a program, in that event certainly the community action agencies would be entitled to become prime sponsors.

Mrs. GREEN of Oregon. May I turn to title III and ask some questions about its provisions.

Mr. PERKINS. All right.

Mrs. GREEN of Oregon. Can a community action agency be the applicant for a public employment program?

Mr. PERKINS. The community action agencies as such could not be applicants for a public service employment program. It is contemplated that units of government will be the outlet in the legislation. That is the way I read title III.

Mrs. GREEN of Oregon. Would you please turn to page 32 of title III, in line 4, where it says clearly, with regard to an applicant for a public service employment application, "Prime sponsors designated pursuant to the provisions of title I of this act"; And the chairman stated a few moments ago—and this is obviously true—that a community action agency can be a prime sponsor under title I. Therefore, it makes a community action agency an applicant for a public employment program. Is that not correct?

Mr. PERKINS. Let me put it this way. A community action agency as such could not apply for a public service employment project unless it were a prime sponsor which it can not be unless the appropriate city or county refused to become the prime sponsor.

Mrs. GREEN of Oregon. But it does give the CAA the authority.

Mr. PERKINS. It could give the CAA the authority where it has been designated the prime sponsor through default or neglect of the appropriate local government to become the prime sponsor.

Even then, the unit of government would have the right to apply for public service employment jobs under title III, notwithstanding the fact that it might not have opted to become the prime sponsor.

Mrs. GREEN of Oregon. May I ask a few other questions about title III?

Mr. PERKINS. Certainly.

Mrs. GREEN of Oregon. To be eligible for employment under title III, the public employment section, you only have to be employed for 5 weeks?

Mr. PERKINS. Unemployed for 5 weeks or partially unemployed for 10.

Mrs. GREEN of Oregon. But you only have to be unemployed for 5 weeks.

Mr. PERKINS. Fully unemployed for 5 and partially for 10.

Mrs. GREEN of Oregon. And underemployed for 10 weeks—which is defined as working less than 35 hours a week for 10 weeks. I agree with you.

Let me pose this question. In the public employment section, there is no preference for people on welfare or for veterans. If at Seattle, where there is high unemployment, an engineer at Boeing is laid off who has a $25,000 a year job and he is unemployed for 5 weeks, is it not true under this bill, he can become an engineer with the city of Seattle or the city of Portland at the prevailing wage of which may be $20,000 to $25,000? Because the bill provides an employee must be paid the minimum under Fair Labor Standards, the State minimum on the prevailing wage for comparable work in public employment in that area. In addition to that, he is guaranteed unemployment compensation and workmen's compensation, health benefits, retirement benefits, and promotional opportunities. Is it not true such a person would be eligible for all this? And if so—what is the incentive to ever get off the public employment payroll?

Mr. PERKINS. Mrs. GREEN, I tried to follow your question, and I think I did. You stated certain hypothetical possibilities which seem pretty far-fetched to me. I cannot realistically visualize an application such as you describe nor the Secretary approving it if such an application were to be submitted.

Mrs. GREEN of Oregon. But is it true that under the bill this would be allowed?

Mr. PERKINS. No. As a practical matter it would not.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman from Kentucky yield?

Mr. PERKINS. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. I appreciate the gentleman yielding.

On page 33, lines 8, 9, and 10, clause (C), calls for "prevailing rates of pay in the same labor market area, for persons

employed in similar public occupations," and I underline that word "public". In answer to the question asked by the distinguished gentlewoman from Oregon, it is "No." It is not comparable rates between Boeing and the city of Seattle. It is comparable rates of a similarly engaged engineer employed by the city of Seattle and not employed by private industry.

Mrs. GREEN of Oregon. Mr. Chairman, if the gentleman from Kentucky will yield further for the purpose of permitting me to direct a question to the gentleman from Wisconsin, if the engineer is laid off at Boeing, and if he is employed under the public service employment section, he will be paid the prevailing rate that other people employed in the engineering field are paid; is that not true? Further, if that is $20,000, that is what he would be paid?

Mr. STEIGER of Wisconsin. That would represent a different situation.

Mrs. GREEN of Oregon. And, he would be eligible under this bill for the public employment section benefits at that rate; is that not correct?

Mr. STEIGER of Wisconsin. Assuming he meets the criteria contained in the bill and is unemployed, it does not make any difference what his employment rate was as compared with someone employed in the private sector.

Mrs. GREEN of Oregon. I understand that.

Mr. STEIGER of Wisconsin. The original question which the gentlewoman from Oregon asked, the answer to it is "No."

We are not talking about employing a Boeing engineer and his being hired at an identical wage rate as a Seattle engineer.

Mrs. GREEN of Oregon. Mr. Chairman, if the gentleman from Kentucky will yield further, you will find that these people so employed are often employed at wages which are comparable to private industry in order to be competitive.

If I may direct a further question to the chairman of the committee——

Mr. O'HARA. Mr. Chairman, will the gentleman yield on the last point?

Mr. PERKINS. I yield to the gentleman from Michigan.

Mr. O'HARA. I would like to call the attention of the distinguished chairman and others who are interested in this question to section 306 which appears on page 36. This section directs the Secretary in evaluating applications submitted to him under the public service employment title to this effect: He shall consider the cost to the Government of each such application in relation to the number of eligible unemployed persons who will find employment under the application, the need of the community for the services to be performed under the application, and the nature and extent of unemployment in that particular community. So, it is simply not a realistic probability that we would have a contract providing for the employment of five engineers at $20,000 per year in preference to a plan providing for the employment of 100 unemployed construction workers at a much lower annual rate.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman from Kentucky yield further?

Mr. PERKINS. I yield further to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. I am not suggesting that those would be the only alternatives. The point I am making is that there is no limitation contained in the bill as to the time that a person can be employed, the amount of salary or wages he can receive, and, of course, the fringe benefits I listed. There is no incentive to get off the public unemployment rolls and back into private industry.

Under the public employment section I believe we established the fact a moment ago, that a community action agency also could be an applicant for a public employment program. So, we greatly enlarge the role of the community action agencies from their authority under the OEO. We would now let them set up comprehensive manpower training programs under title I and additional public employment programs under title III. We make CAA's the public sponsor of the public employment programs.

May I also ask the chairman if it is not true that under the Federal civil service program we have certain qualifications which we demand before a person can be employed at a certain grade level. However, under this public employment section there is absolutely no requirement for grade level or salary level qualifications. Anyone can be hired if they are unemployed for 5 weeks or for 10 weeks on a part-time basis.

Mr. PERKINS. I will say to the distinguished gentlewoman from Oregon that the gentlewoman is omitting one important factor and that is this: The proposal will come from the local level. I cannot visualize any county judge or circuit judge or any custodian or manager of a hospital that would squander money on unqualified people when they have to come up with 20 percent of the costs involved.

So this program, to my way of thinking, will work out well and give those people who really want work and are the most in need of it the opportunity for that work, and this legislation in the public service title does just that.

The community action agencies are presently involved with administering many of these programs. Notwithstanding their know-how, we do not give them any preference in this bill. But if no one else makes an application they should certainly be entitled to make an application, and work it up from the local level and become a prime sponsor.

Mrs. GREEN of Oregon. Mr. Chairman, in this bill, as I read it, CAA's are given preference over the States. I refer to page 17, lines 13 through 18. In establishing training programs, they certainly are given preference over the educational systems, and State departments of education. The latter two are not even mentioned as possible prime sponsors.

Let me ask one other question on the public employment:

Under Civil Service we do have qualifications? When you establish a public employment program which is a corollary to the Federal civil service program with 80 percent of the tab picked up by the Federal Government, and when we require no qualifications at all, and we have no limit on the salaries that can be paid, or the duration of public employment, is it not possible that in a community action agency, we could have the greatest political boondoggle that this country has ever seen?

Mr. PERKINS. I do not believe so, I will say to the gentlewoman from Oregon, and I think we should leave it to the mayors as to the qualifications of the employees to get that work done which is most in need that is not presently being done. And that is the real purpose of this title. And they have to spell out in their applications just how many employees he intends to employ, and for what purpose, the salaries he intends to pay, and so forth.

Mr. Chairman, I want to say, in conclusion, that I feel that I should compliment the gentlemen who have worked so untiringly on this legislation, the gentleman from New Jersey (Mr. DANIELS) the gentleman from Michigan (Mr. O'HARA) the gentleman from California (Mr. HAWKINS) and the gentleman from Minnesota (Mr. QUIE) and the gentleman from Wisconsin, (Mr. STEIGER) and of course the remainder of the subcommittee. These gentlemen I have mentioned worked day in and day out over a period of many months to try to improve this legislation, so we could get a manpower bill this year. I personally feel that they have done a wonderful job, and that this committee should wholeheartedly support their efforts.

Mr. AYRES. Mr. Chairman, I rise in support of H.R. 19519. As the principal sponsor in the House of President Nixon's proposal for a Comprehensive Manpower Act, I am particularly pleased to be a sponsor of this bill. The bill before us—in very large part—carries out the President's program and it has the full support of his administration.

The heart of the President's proposals—and of this bill—is the combining of many separate legislative authorizations for manpower training into a single new authorization. This bill does not combine all manpower programs, but it goes a long way in that direction. As my colleague, the gentleman from Ohio, JOHN ASHBROOK, told the Rules Committee in support of the rule, this bill has been needed for several years.

The second major accomplishment in this bill is that it would strengthen and consolidate the administration of manpower programs at the State and local levels. It has affirmative provisions for the participation of States while at the same time assuring a role for the mayors and councils of our major cities. As the Representative in Congress for one such city, Akron, Ohio, I feel that our local people can do a first-rate job with the support that this bill would give them.

Now, this is not a perfect piece of legislation and some fears have been expressed concerning it. In particular, vocational educators and directors of manpower skill centers have been fearful that their part in manpower training would be diminished. Let me say right here as a

part of the legislative history of this bill that this is not the intent of our Committee on Education and Labor. That is why we reported this bill with a committee amendment—section 525—which directs the Secretaries of Labor and of Health, Education, and Welfare to report back to the Congress on the extent to which vocational education agencies and institutions have been utilized. We expect that they will have a very significant role—preferably a more significant role than is the case under existing legislation—in carrying out the purposes of this legislation.

In Akron, for example, we have a very good and very successful manpower training skill center which is equipped to handle a wide variety of training assignments. I expect that this center will continue to be utilized and its work expanded when Akron sets up its own program under this bil. For example, I think these existing skill centers could do a good job of helping people who are entering upon public service employment programs under title III of this bill. This expanded use of existing vocational facilities is consistent with our intentions in enacting this legislation.

Mr. Chairman, this bill is an important step toward the development of a national manpower policy which will take a unified approach to manpower training. We need to do more. We must, for example, continue to strengthen and expand vocational-technical education until every single child in school is preparing for his or her life's work. When that becomes a reality we shall not need to worry about unemployment which is caused by lack of skills, and this will be a better and stronger America. H.R. 19519 points in that direction.

President Nixon deserves great credit for the initial proposals which led to this bill. Secretary of Labor Hodgson and former Secretary Shultz and their associates in the Department of Labor share in that credit. They have performed brilliantly.

I think also that great credit is due to the leadership on our committtee of the subcommittee chairman, DOMINICK DANIELS, who conducted extensive hearings, and to the support he received from the ranking Republican, BILL SCHERLE, who steadfastly supported the President's proposals. Finally, without the leadership of our colleagues AL QUIE, BILL STEIGER, and JIM O'HARA in working out a compromise bill, no legislation would have been possible.

Mr. Chairman, this is one of the most important and constructive bills to come before the 91st Congress, and I urge its enactment.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, almost 18 months ago I introduced on the floor of the House H.R. 10908—the Comprehensive Manpower Act of 1969. Joining me in sponsoring this bill and identical legislation, H.R. 11108, were Representatives QUIE, ERLENBORN, DELLENBACK, ESHLEMAN, HANSEN of Idaho, WIDNALL, BROCK, and COLLINS.

When I introduced H.R. 10908, I noted that our present manpower efforts fall far short of meeting the full scope of our current and future employment needs. Present programs are fragmented, overlapping, and contradictory. The result is that the people who need the services the most are often getting them only in an incoherent, inefficient, and frustrating way, if at all. Unless we begin to build a planning and delivery system which utilizes both the public and private sectors at the Federal, State, and local levels, we shall not be able to cope with this Nation's manpower requirements.

From the outset I have felt new manpower legislation should have certain general objectives. It should facilitate long-range manpower planning; adapt the program mix to community circumstances; and allow packaging of services according to individual need.

Such legislation must also strengthen the State and local role in manpower planning and implementation while maintaining Federal guidance.

Clear responsibility for the success or failure of manpower programs should be vested in State and local political officials who are answerable to their constituents and hence to the clients served. At the same time sufficient authority and resources must be placed in the hands of State and local administrators to enable them to meet the challenges within their jurisdictions both with sustained plans of action and with sufficient flexibility to adjust their programs to the unique and changing needs of each community.

Mr. Chairman, the bipartisan measure which is brought before you today meets these goals in an admirable fashion.

The actual birth of this measure has been swift. However, the period of discussion has been long and thoughtful. H.R. 19519—the Comprehensive Manpower Act—draws together many of the best elements of proposals put forward by myself, the gentleman from Michigan (Mr. O'HARA), the Nixon administration, and others who have submitted proposals to the House Committee on Education and Labor. It reflects testimony from 27 days of public hearings conducted under Chairman DANIELS of the Select Subcommittee on Labor. It adapts ideas and concepts that have been developed through several months of consideration by the Senate Committee on Labor and Public Welfare. Under the leadership of Chairman PERKINS it has received almost unanimous bipartisan support in the Committee on Education and Labor.

The gentleman from Kentucky and the gentleman from Michigan have both explained the provisions of the bill in some detail, and I would like to express my gratification for the manner in which we have achieved a consensus on the basic ingredients of reforming our manpower programs.

Before proceeding, Mr. Chairman, I would like to pay tribute to Dr. Sar Levitan and Dr. Garth Mangum of the National Manpower Policy Task Force whose ideas and guidance were invaluable to me in the preparation of my original manpower bill and throughout the deliberations on this legislation. I am greatly indebted to them both.

The genesis of the administration's work in this field began with George Shultz, the former Secretary of Labor, and Arnold Weber, his Assistant Secretary for Manpower. It has been ably continued by Secretary Hodgson and Assistant Secretary Malcolm Lovell. Mac Lovell has been invaluable in both working within the executive branch and with Congress to bring this bipartisan bill to fruition. He deserves a lion's share of the tributes for his work.

Finally, I want to give special recognition to the work of Peter Kobrak, formerly of my staff, and now a professor at the department of political science at the University of Wisconsin, Milwaukee. I am deeply grateful for the invaluable assistance he provided throughout the formulation and development of this legislation.

H.R. 19519, the Comprehensive Manpower Act, consolidates authority and funds from our two principal manpower training statutes—the Manpower Development and Training Act and the Economic Opportunity Act—under a single broad act.

It focuses national leadership on the Secretary of Labor while strengthening his partnership with the Secretary of Health, Education, and Welfare and the Director of the Office of Economic Opportunity in their areas of special interest and responsibility.

It decentralizes responsibility for planning and administering manpower programs to Governors and local officials, who can be held more directly accountable to those they serve.

It decategorizes the current array of prepackaged programs and provides local planners with the flexibility to shape available resources to meet individual needs.

It provides new opportunities for creative partnership between State and local authorities to combine resources and programs under their direction in a more comprehensive approach to community needs.

These are satisfying—even exciting—achievements to those of us who have followed closely the evolution of national manpower policy.

Throughout our deliberations on this legislation, we were plagued by the question of what size and type of local governmental unit should operate its own manpower programs and how this separate operation could best be tied to manpower planning at the Federal and State level.

The Center for Governmental Studies undertook for the Manpower Administration of the Labor Department a two-part study aimed at developing a better understanding of the practical issues inherent in the decentralization of manpower programs to the State and local level. The first report dealt with State manpower organization; the second with metropolitan manpower organization. Both provide vital data which will be invaluable to the Labor Department as it begins the decentralization process provided for in H.R. 19519.

Perhaps the key to decentralization, and decategorization as well, is flexibility. Because of its overall responsibility for administering individual manpower

programs, the Manpower Administration, as the Center's study points out, has in the past of necessity devoted most of its attention to "setting precise program guidelines, issuing directives, reviewing applications for funds, granting funds and attaching conditions, conducting financial audits and performing program monitoring." The Center states in their report that at present, "broad national objectives and overall program objectives seldom come into view at the local level. And there is relatively little training and technical assistance emanating from the Manpower Administration." The Center sets two goals for Federal administration under a decentralized system. First, there needs to be a better articulation of goals and objectives. Second, there needs to be a vast increase in the quantity and quality of technical assistance and staff training. If H.R. 19519 is to succeed, Federal agencies must find ways to feed into the State and local planning process their general advice and technical information, their more cosmopolitan perspective, and their evaluation data on local experiments, without dominating and directing State and local activities. To quote the Center's report again:

A fundamental objective is to develop local capability for conducting effective manpower programs. This means that local prime sponsors must be given the opportunity to determine priorities based upon local conditions, to plan programs which respond to local needs, to allocate funds among the most appropriate agencies, to conduct programs and link components together, to evaluate local efforts, and to reallocate funds and reassign responsibilities as appropriate. It also means the right to make mistakes, which are inevitably part of the process of developing capability.

The challenge to the federal government is to carry out responsibilities which can be fulfilled only at the national level while enhancing state and local capacity for planning and delivering manpower services.

H.R. 19519 contains several provisions designed to enhance the Federal Government's new role, as well as State and local capabilities. Title IV of the bill sets out Special Federal Responsibilities. Of particular importance in this title are sections, 406 and 407, Training and Technical Assistance. Under this section the Secretary of Labor, in consultation with the Secretary of Health, Education, and Welfare and the Director of OEO shall provide either directly or through other arrangements, preservice, and inservice training for specialized, supportive and supervisory or other personnel and technical assistance necessary for carrying out the programs established by the act. He can assign personnel to public or private agencies, institutions, or employers to assist them in planning and operating programs. The Secretary is also directed to survey ongoing programs of staff training, analyze regular manpower programs to determine the quality of present training and future staff requirements, and plan for and provide an integrated system of short term and intermittent staff training in managerial and technical matters relating to the conduct of manpower training programs and services for Federal, State, and local personnel.

Local and State prime sponsors will need a substantial number of technical skills to plan and carry out manpower programs; knowledge of what a comprehensive manpower system means and how to obtain and use the tools available to them; and the capacity to select and assess the abilities of various organizations to conduct the several program elements.

The Labor Department, along with HEW and OEO, can provide invaluable assistance in this area as long as they remain flexible to meet community needs and do not regress to the regimentation and guideline-oriented mentality imposed by our present system.

The Labor Department will have other responsibilities not directly addressed in this legislation, but nevertheless vital to the operation of manpower programs based on national manpower needs and goals. We have seen in the development of the JOBS program, a great commitment of Federal resources in one type of activity to the exclusion of other desirable and congressionally mandated or suggested Federal activities. It would mean certain dilution of comprehensive manpower policy if such a situation occurred under the new system we desire to create. This is not a condemnation of the JOBS program, it is simply a realization of how a concentration of Federal resources available to the Secretary of Labor for the operation of nationally oriented programs can thwart other equally important activities when it is vested in one single approach to solving our manpower problems.

I must also mention the role of the Employment Service in Federal manpower policy. We have provided in H.R. 19519 for important linkage between the State manpower operation and Employment Service activities in section 107, Special Requirements for State Prime Sponsors. There is no similar provision in the Senate-passed bill. In H.R. 19519, any State seeking assistance under the Comprehensive Manpower Act or the Wagner-Peyser Act must submit a State comprehensive manpower plan to the Secretary of Labor which among other important criteria must provide for the conduct of programs financed under the Wagner-Peyser Act consistent with the objectives of a comprehensive manpower system. In the original administration proposal, H.R. 13472, it was envisoned that the Employment Service would have a major role in operating manpower programs. Testimony and reports available to our subcommittee make it clear that the quality and ability of the Employment Service varies greatly throughout the country, and thus the degree of Employment Service participation in manpower activities should also vary. At present the local Employment Service is the delivery end of a Federal-State apparatus. We have perhaps been lax in not stipulating further in this legislation greater linkages between funds and activities of the Employment Service and local prime sponsors. As it is, in section 105(b)(5), we require the utilization to the extent appropriate, those services and facilities which are available from Federal, State, and local agencies, including the Employment Service. We also require—section 104(b)(2)—that the public Employment Service be represented on the Manpower Services Council which will review manpower needs and programs and make recommendations to the prime sponsors. And we require in section 105(b)(9) that prime sponsors must provide for the integration of services with other manpower and manpower related services in its area for which financial assistance is provided by the Secretary of Labor. It is vitally important that Employment Service and manpower activities be coordinated at the local level and that there be mutual cooperation and assistance. But the Secretary of Labor will also have a good deal of responsibility here to insure that coordination and cooperation between Employment Service and prime sponsor are accomplished to the benefit of the individual client and in a manner suitable to the local situation. There would be nothing more detrimental than to have the Employment Service role imposed indiscriminately from Washington.

H.R. 19519 is intended to provide a comprehensive, coordinated system of manpower service to benefit those in need of assistance. It was my original intent in introducing H.R. 10908 to emphasize the need to make political officials responsible for the success or failure of manpower programs under their jurisdiction. H.R. 10908 was also designed to achieve long range, as well as short range, comprehensive planning on an areawide basis so that we might assess present and future manpower needs and design programs and services accordingly. While not set forth in H.R. 10908, it was also my desire to give a degree of autonomy to those areas which have the largest population concentration.

As I stated previously, finding the right combination of these three factors and translating that into legislative language was no small challenge.

What witnesses before your subcommittee, as well as manpower experts in independent studies, were to make clear was that there is no one formula which can be applied uniformly throughout the country. Thus, in H.R. 19519 we have attempted to set down broad guidelines of what is desirable, while combining this with a degree of flexibility for the Secretary of Labor to determine the demands of local conditions.

The Metropolitan Manpower Organization study of the center for governmental studies set out vividly the diversity of situations which exist at both State and local level with regard to size, government, economy, governing coalition, and so forth.

H.R. 19519, through five categories of eligible prime sponsors—State; city of 100,000 or more or with the largest population in a State; counties of 100,000 or more which exercise local governmental functions similar to those of a city; combinations of units of local general government which have a population base of 100,000 or more and serve a substantial part of a single labor market; and units

of local general government in rural areas which have substantial outmigration and high unemployment—seeks to reduce the number of prime sponsors and thereby facilitate coordinated and comprehensive manpower planning and administration.

However, H.R. 19519 also stipulates that in addition to meeting the above criteria those desiring to be prime sponsors must submit to the Secretary of Labor a plan which includes evidence of capability for carrying out a comprehensive manpower plan of services in accordance with criteria set forth in section 105 of the act. The Secretary is also empowered to choose from local units of government which seek prime sponsorship for the same area, the one which he judges can do the job most effectively. How the Secretary of Labor exercises his responsibilities in evaluating the ability of prime sponsor applicants will be of the utmost importance. There may well be a temptation to certify prime sponsors solely on the basis of size and geographic criteria, but this would be a serious mistake. The ability of the prime sponsor to carry out its responsibilities will either make or break the decentralized and decategorized system, and this ability should weigh heavily in the Secretary's decision. The Center for Governmental Studies' report here again has cited some valuable information and recommendations with regard to the powers, responsibilities and capabilities prime sponsors should have, and I commend these to the Labor Department as they develop their policy in this area.

The committee has given particular emphasis to the desirability of labor marketwide coverage. As the committee report points out:

> Job opportunities and manpower training needs are governed by labor market conditions which are no respecters of political jurisdictions.

The committee has strived through various mechanisms in H.R. 19519 to encourage labor marketwide planning and coordination, while at the same time vesting accountability in political officials.

To facilitate a comprehensive approach to manpower planning and development, I believe it is imperative that we limit eligible prime sponsors, with the exception of rural areas, to those areas which have populations of 100,000 or more and serve as an identifiable labor market. The Senate bill includes cities and areas of 75,000.

Based on the most recent estimates of the Census Bureau I have available, there are 145 cities with a population of 100,000 or more persons and 226 cities with 75,000 persons. There are 326 counties with over 100,000 persons, but 434 counties with over 75,000. This is a net difference in number of eligible prime sponsors in this category of 189. The impact of using areas of 100,000 rather than areas of 75,000 becomes even greater if you look at the effect the two figures have in certain States. In the State of California, for example, using the 75,000 cutoff instead of 100,000 would increase the number of eligible prime sponsors by 30: In Texas by 12; in my own State of Wisconsin and the State of Pennsylvania by eight. In these States, the Governors have taken an active role in manpower planning and in improving the delivery system throughout the State of manpower services.

No estimate has been made, and it is really impossible to do so at this time, of the number of units of local government which might join together and seek prime sponsorship, but the bill contains the option so that in those areas in which such an arrangement is desirable and which have the capabilities to conduct separate manpower activities prime sponsorship will be possible.

The whole thrust of a comprehensive approach to manpower service, however, is to discourage uncoordinated, disoriented efforts which thwart rather than aid the individual. In my opinion, planning should take place on a statewide basis, on a regional basis where appropriate labor market functions are to be served, and on a local basis where the capabilities exist and where the area to be served functions as a labor market.

A quick glance at H.R. 19519 might result in the mistaken impression that cities and local areas are emphasized and encouraged at the expense of Governors and the States. Should this result, it would be a tragedy, in my opinion. My original bill put major emphasis on the State as planner and coordinator of manpower programs throughout its jurisdiction. While jobs do not stop at State boundaries any more than they stop at city boundaries, the State constitution and statutes govern many institutions, organizations, and activities which are integral parts of manpower programs; the State Department of Labor, Employment Service, Department of Public Instruction; vocational education and rehabilitation agencies, and others are directly involved in activities which affect manpower services at the local level; the State plays a large part in attracting businesses to its borders, in gathering statistics and in countless other activities which have repercussions at the local level. Thus, it is important that State government take a constructive interest and be an active participant in manpower needs and programs. A number of States have already shown an active concern for manpower planning and programing within their boundaries. I am proud to say that my own State of Wisconsin, under the leadership of Gov. Warren Knowles, is among this group.

The Governors should be encouraged, and the Secretary of Labor should be active in this area, to not simply sign off on local prime sponsor applications but to examine each one carefully and indicate to the Secretary the extent to which they are compatible with the manpower needs of the State, the State plan, the proposed plans of service of other agencies providing related assistance, and so forth. Of course, the Governors must first develop their own State plans and mobilize their State agencies and resources, but after accomplishing this, if they fail to work constructively with local prime sponsors to have a meaningful integration of State and local programs, then they will, by default, forfeit the role H.R. 19519 gives them and in so doing will greatly hamper the Federal-State-local partnership which H.R. 19519 envisions and which the sponsors feel is so vital to a successful manpower effort.

A word should be said about interstate cooperation. Some areas such as Kansas City, Mo., and Kansas City, Kans., are already working together effectively in areas of social concern and have begun to do some coordinated manpower planning. In other areas, such as Washington, D.C., and the surrounding Maryland and Virginia suburbs, the need for an interstate approach to manpower problems is evident. This is an area in which the Secretary of Labor can be particularly helpful using funds allotted to him.

One activity which was not specifically set forth in H.R. 19519, but which deserves both Federal, State, and local attention, is the need for job creation and development activities in the private sector. Under H.R. 19519, we do create a job bank to facilitate job location and placement, but to quote from the Center for Governmental Studies report:

> Job banks do not eliminate the need for job development and job restructuring efforts. These still are critical to manpower programs for the disadvantaged, and need to be performed at each level of operation in a manner appropriate to the respective level.

There are a number of sections in the act under which job development and restructuring activities could take place—sections 102, 401, 403, 405, 414, part C of title IV.

I would like to comment on an additional dimension of this act.

The Comprehensive Manpower Act will also create a new program of public service employment to serve, as our committee report has noted, as "a supplement to manpower training programs."

I think it is important to emphasize the fact that the public service employment program created by title III is a "supplement to manpower training programs." By no means is this type of program meant to detract from or supplant the need for effective manpower planning, training, and placement in the private sector or in nonfederally supported public service jobs. I would oppose such a program. I have also continuously opposed a massive federally financed public service employment program as a means of solving all our economic and social ills. In truth, we know almost nothing about operating a large scale modern public service employment program. The conditions which exist today cannot be compared to the 1930's which is the only time the Nation experimented on a large scale with public service employment. There have been few studies done on the issue, and those that have been completed have concentrated more on the need for public services than on how such an employment system might be run and how desirable the "employer of last resort" approach might actually be. No real attention has been given to cost; the geographical, occupational or skill feasibility of matching eligible clientele with available jobs; how best to administer such a large scale program, and many other questions. So I would oppose a bill which

attempted to solve our employment problems entirely through a massive public service employment program.

I support title III of H.R. 19519, however, because it seeks to meet an existing need, but is carefully drawn to emphasize the movement of people into employment which is not subsidized under this bill.

I do want to emphasize that we should not raise false hopes about the ability of title III or federally subsidized public service employment on any scale solving all our problems.

Sar Levitan has just delivered an excellent address to the New York State School of Industrial and Labor Relations at Cornell University on the realistic role of manpower programs in a slack economy. His comments on public service employment are particularly important to put into perspective what we can accomplish and what we have to consider in initiating public employment programs. I would like to include the complete text of Dr. Levitan's remarks at the end of my statement.

Trends in employment are the product of broad economic and social forces, a complex web of public and private actions in which an active manpower policy plays only a limited role. The ranks of the unemployed measure in the millions. New jobs which can be created through appropriations under this legislation measure in the tens of thousands, Amid all the competing and worthy demands made on the Federal budget, appropriations for Federal manpower programs are unlikely to rise rapidly to the many billions of dollars required to create sufficient jobs to reduce dramatically the levels of unemployment. Public service employment can contribute to the provisions of job opportunities for the unemployed. It is not, of course, the overall solution.

In a similar fashion, while there are pressing needs for more public services, employment in State and local government has been one of the fastest growing sectors of our economy for the last decade. Over the last decade employment in State and local government has grown by 3.4 million employees, over 350,000 new jobs each year. State and local tax revenues have increased by $4 to $5 billion annually. Federal grants-in-aid, which support a wide variety of activities, have increased by $2 to $3 billion each year. Public service employment under this bill can contribute to the expansion of needed public services. However, the basic source of growth will continue to be from State and local revenues and Federal grants-in-aid. Indeed, in title IV this bill directs the Secretary of Labor to undertake a comprehensive assessment of the job-creation impact of Federal assistance programs. He will take active steps to open up a greater proportion of these jobs to the disadvantaged. Tapping into this basic source of governmental financing may yield great benefits for the disadvantaged.

I believe that the true significance of public service employment—title III—will be as a new tool in our manpower development program.

We have been careful to assure that title III supports real tasks, not "make-work," which the local community vitally needs.

We have been careful to assure that unemployed persons employed through title III receive wages, benefits, and opportunities equivalent to the local government's regular employees.

But we have been particularly careful to assure that public service employment programs will continue to develop participants' skills and move them through time into jobs which are created through the regular growth of public and private employment.

This goal—the movement of people over time into employment which is not subsidized under this bill—will be accomplished in ways which will not jeopardize the well-being and economic security of the individual.

Instead, the bill places upon our institutions—the Labor Department and the State or local governmental employer—a constant obligation to concern themselves with the development and occupational mobility of public employees.

Before any public service employment program is approved, the local government must develop appropriate programs for training and upgrading its employees, including public service employees.

Before any public service employment program is approved, the public employer and the Labor Department must agree on specific objectives—for the movement of persons employed thereunder into public or private employment not supported under this act.

Such goals, will, of course, vary from community to community. They will depend on the rate of growth in the employer's regular employment, turnover rates, and promotional opportunities, the comparative availability of suitable work in private employment, and other such factors.

Such goals will be met in a variety of ways—

Some public service employees shall be trained and promoted to higher positions within the local government which are financed through regular revenues.

Other public service employees may be shifted laterally onto locally financed payrolls to fill vacancies in similar jobs left by regular employees who have themselves been promoted to higher positions. These perhaps may have been upgraded occupationally under title II programs.

Still other public service employees may leave such jobs for better opportunities in private employment. This is particularly likely when title III is providing temporary employment for unemployed but skilled workers whose regular jobs have vanished during economic downturns.

Thus, over time title III will provide a constantly renewed pool of opportunities through which most participants have moved in the process of securing career opportunities which are not dependent upon these manpower funds.

The committee has been very clear in setting forth the responsibilities of the Secretary of Labor to approve and monitor these programs.

The Secretary of Labor must assure that every reasonable opportunity to find other suitable employment or enter other manpower training programs has been explored before an individual is certified for public service employment.

The program must not only provide whatever training is necessary to equip such unemployed persons to carry out their new tasks, it also must be linked to upgrading programs which offer opportunities for upward mobility.

The Secretary must maintain a continuing review of the status of each enrollee to assure that he is always being considered for referral to suitable regular employment or other manpower training programs.

Where public employers are not meeting agreed goals which I mentioned, the Secretary may terminate the program or decrease the share of Federal funds which must support the program.

Finally, under title IV the Secretary, in consultation with the Director of the Office of Economic Opportunity, will initiate action to encourage State and local government to modernize their personnel systems, seeking to remove artificial barriers to careers, employment, and occupational advancement for disadvantaged persons.

Thus, I am satisfied that we have struck a proper balance. We have recognized the legitimate interest in new job creation for the unemployed and the expansion of needed public services. And we have maintained the basic integrity of public service employment as part of a process of human development to which our manpower program is committed.

Before completing my remarks I want to pay particular attention to the role of vocational education in a comprehensive manpower system. H.R. 19519 is in no way intended to be the vehicle for the initiation of a "dual system" of education and training. On the contrary, the committee intends that every effort be made to coordinate manpower and vocational education activities, and that to every extent possible manpower programs use services and facilities available from vocational schools, area skill centers and postsecondary training and education institutions, including secondary schools, both public and private. The committee report very carefully sets this out as does H.R. 19519. In addition, the Secretary of Labor and the Secretary of Health, Education, and Welfare must report to Congress by January 20, 1972, on the extent of utilization of vocational education programs in the overall manpower program and make further recommendations for administrative and legislative action. The U.S. Commissioner of Education must also report on the extent to which vocational information and preparation have been integrated into regular elementary and secondary school programs and how these linkages might be improved.

Manpower programs provide remedial vocational training and skills, as contrasted with the preventive programs undertaken through the regular public and private secondary and postsecondary schools. I have been a strong supporter of preventive programs and worked hard on the development of the Vocational

Education Amendments of 1968. I do not feel we should continue to put money into remedial manpower training while neglecting our preventive vocational education system, thus I will continue to work for the implementation of the 1968 Vocational Education Amendments and for the strengthening of our vocational education system.

In addition to the preventive role, vocational educators, and educators in general, have important contributions to make to remedial manpower training. H.R. 19519 is designed to encourage the active participation of vocational educators and representatives of elementary, secondary and postsecondary schools in the planning, development and operational phases of manpower programing. This input will be vital to the success of a comprehensive and coordinated system. We have not attempted to list title by title the different types of people we expect to be involved in manpower programs. We should not overlook, however, the *local and State* elementary and secondary school officials. Other groups that will undoubtedly make a contribution are the State and National Advisory Councils on Vocational Education.

After we resume in the House, Mr. Chairman, I would like to include at this point in my remarks an exchange of correspondence between the Secretaries of Labor and Health, Education and Welfare, the gentleman from Michigan (Mr. OHARA) and myself with Mr. Hugh Calkins, Chairman of the National Advisory Council on Vocational Education. These letters point to the very positive role vocational and general education are to have in the success of manpower programs.

In closing, I would simply say that we have had too much unhealthy competition between labor and education at all levels in the past. It is time to put an end to it and to get on to the constructive work that needs to be done.

Mr. Chairman, months ago we embarked on an effort to create a new and flexible context for the development of a comprehensive manpower system. This bill achieves this goal. Enactment of this legislation is an urgent need.

The correspondence follows:

NATIONAL ADVISORY COUNCIL ON VOCATIONAL EDUCATION,
Washington, D.C., November 13, 1970.

To Chairmen, State Advisory Councils on Vocational Education:

Following the meeting of the Chairmen and Executive Directors of the State Advisory Councils on Vocational Education with members of the National Advisory Council on Vocational Education in Washington on November 6–7, 1970, we took up your concerns as expressed in the passed resolutions (enclosed) with representatives of the Department of Health, Education, and Welfare, the Department of Labor and members of Congress.

Those with whom we spoke were sympathetic with these concerns and enclosed are responses from Malcolm R. Lovell, Jr., Assistant Secretary of Labor for Manpower, Congressman James G. O'Hara (D), Michigan, and Congressman William A. Steiger (R), Wisconsin, and Secretary of Health, Education, and Welfare, Elliot Richardson. These responses go a long way toward relieving the concerns that were expressed at the meeting.

It now seems appropriate that the efforts of both the State and National Advisory Councils on Vocational Education should be directed toward seeing that the views expressed by these responsible national officials are carried out in practice.

Sincerely,

HUGH CALKINS,
Chairman.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., November 12, 1970.

Mr. HUGH CALKINS,
National Advisory Council on Vocational Education, Washington, D.C.

DEAR MR. CALKINS: It has come to our attention that members of the National and State Advisory Commissions on Vocational Education have expressed concern over the legislative intent of some of the provisions of H.R. 19519, the Comprehensive Manpower Act. For the benefit of your membership, as well as that of the State Advisory Commissions, we would like to comment on these questions.

First, some concern has been expressed over the meaning of "concurrence" as used in H.R. 19519. Sec. 108(a) of H.R. 19519 states that "the Secretary of Labor shall not issue rules, regulations, standards of performance or guidelines with respect to assistance for services of a health, education, or welfare character under this title and he shall not provide financial assistance for services of a health, education, or welfare character under this title unless he shall have first obtained the concurrence of the Secretary of Health, Education, and Welfare. Such services include but are not limited to basic or general education; educational programs conducted in correctional institutions; institutional training; health, child care and other supportive services; and new careers and job restructuring in the health, education, and welfare professions."

The phrase "The Secretary of Labor shall not issue rules . . . shall not provide financial assistance . . . unless he has first obtained the concurrence of the Secretary of Health, Education, and Welfare" cannot reasonably be interpreted to mean anything *but* that the Secretary of Health, Education, and Welfare must give his *prior approval* before the Secretary of Labor can do these things.

It seems to us that the very words of the legislation thus leave no room for doubt that the intention of the bill and of its sponsors is that the Secretary of Health, Education, and Welfare will take positive action on such matters, not merely give them passive acknowledgment.

The second assertion which has been brought to our attention is that this bill somehow conceals an intent to create a "dual school system". This is without fonndation.

The Committee Report addresses itself to that fear, and seeks to show that any such concept is foreign to the intent of the sponsors of this legislation.

The Congress has repeatedly rejected the notion of a "dual school system", and sponsors of this bill join in that rejection.

In fact, far from making a "dual school system" possible, the bill is replete with provisions for linkages with existing vocational educational institutions. Section 104 requires vocational educators to be a part of the manpower councils which develop comprehensive plans for the prime sponsor. Sec. 106(b) requires the use of existing educational services and facilities, to the full extent appropriate. Section 504(d) provides a financial incentive to prime sponsors to create and utilize linkages with existing vocational education institutions. Sec. 525 provides for two separate reports on the utilization of such existing institutions.

In conclusion, then, we hope this letter will clarify what had seemed to us to be the obvious intent of H.R. 19519.

Very truly yours,

JAMES G. O'HARA,
WILLIAM A. STEIGER,
Members of Congress.

THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE,
Washington, D.C., November 13, 1970.

Mr. HUGH CALKINS,
Chairman, National Advisory Council on Vocational Education, Washington, D.C.

DEAR HUGH: The Department of Health, Education, and Welfare strongly supports the proposed Comprehensive Manpower Act (H.R. 19519). This proposed piece of legislation will assist the Department to make vocational education more effective in meeting the manpower needs of our nation. It will provide a vehicle for vocational educators to act as partners in the planning and implementing of a comprehensive manpower system.

I believe that the bill gives me the responsibility and the opportunity to review and clear all Federal rules, regulations, and standards of performance which could effect educational programs and other programs under the traditional purview of the DHEW. Pursuant to this authority we will exercise a pre-clearance on the above aspects of State plans and other program plans. The requirement of concurrence gives me the opportunity to ensure that program sponsors of manpower programs will look to existing vocational education facilities, area school centers and post-secondary technical schools to the full extent of their capability to provide institutional training and basic and remedial education under a community comprehensive manpower program.

I understand there has been some concern among the State advisory councils that this bill might create a "dual school system." I believe that this is without foundation.

The Department of Health, Education, and Welfare must report to Congress early in the process of implementing this bill on the extent to which the vocational education agencies are being utilized. This report will provide the Congress with ample opportunity to see that its intent is fully carried out.

I am pleased to know of your interest in this bill and the active manner in which both the State and the National Advisory Councils are carrying out their responsibilities under the Vocational Education Amendments of 1968.

Sincerely,

Secretary.

U.S. DEPARTMENT OF LABOR,
Washington, November 12, 1970.

Mr. HUGH CALKINS,
Chairman, National Advisory Council on Vocational Education, Washington, D.C.

DEAR MR. CALKINS: The proposed Comprehensive Manpower Act (H.R. 19519) is an unparalleled opportunity to strengthen the partnership between manpower programs and vocational education in the development of our Nation's manpower. I want to assure you (and other vocational educators who may have expressed their concern) that the Department of Labor is committed to the fullest utilization of mainstream educational institutions under the Administration-supported bill.

As one who has served both the educational system and manpower programs in my public life, I share the aversion to the possibility that a "dual school system" might ever emerge—one serving the advantaged middle-class, the other serving the poor and disadvantaged. General education and occupational skill training opportunities must be part of a continuous process, available to all citizens as best suits their individual needs.

The Department of Labor has taken careful steps to assure that the Nation's vocational educators are integral partners in planning and implementing a comprehensive manpower system.

At the State and local level representatives of general and vocational education programs and post-secondary training must serve on the Manpower Services Councils. Responsible to the Governors and Mayors (or other local elected officials) serving as prime sponsors, these councils will have major roles in planning and evaluating local manpower programs. Through Federal regulations it will be clear that the educational community must be represented on these councils by officials such as the Superintendent of Schools, the Director of Post-Secondary Education, and others who have major and substantive responsibility for the community's educational programs.

Second, State and local prime sponsors will rely upon existing vocational education facilities, area skill centers, post-secondary technical schools for the provision of institutional training and basic and remedial education under a community's comprehensive manpower program. The proposed Comprehensive Manpower Act contains strong safeguards against the duplication of facilities and programs or the utilization of the existing educational resources to less than their full capability.

As evidence of the Labor Department's commitment to this policy, it was through our initiative that the incentive funds set aside to stimulate exemplary linkages between manpower programs and vocational education were more than doubled over the level allowed under the Senate's manpower bill. We view these funds (up to $75 million under a $2 billion authorization) as offering an opportunity for very creative and innovative programs.

We strongly support the requirement, introduced by Congressman Lloyd Meeds, that the Department of Labor and the Department of Health, Education, and Welfare report to Congress early in the process on the extent to which the vocational education agencies are being utilized under the Comprehensive Manpower Act. We also fully support the intent of the special report, to be prepared by the Commissioner of Education, on the integration of vocational and general education objectives throughout the Nation's school systems. Effective vocational orientation and preparation at the earlier stages of a child's life would obviate the long-term need for many of our adult manpower training efforts.

Finally, the Comprehensive Manpower Act requires the concurrence of the Secretary of Health, Education and Welfare in any actions under the Act of an educational nature. This responsibility extends both to the development and issuance of rules, regulations, guidelines, or standards of performance which would affect educational programs and the approval of the educational and institutional training components of annual comprehensive program plans and individual project grants.

We recognize that HEW will require effective staff capability both nationally and in its regional and field offices to carry out this major responsibility. I want to assure you that the Department of Labor will lend its vigorous supoprt to HEW's staffing requirements under the Comprehensive Manpower Act.

As both Assistant Secretary of Labor for Manpower and one who is vitally concerned with vocational education, I look forward to new challenges and opportunities for creative partnership under the Administration-supported Comprehensive Manpower Act.

Sincerely,

MALCOLM R. LOVELL, JR.,
Assistant Secretary for Manpower.

FEDERAL MANPOWER PROGRAMS IN A SLACK ECONOMY

(By Sar A. Levitan, Center for Manpower Policy Studies, the George Washington University)

A favorite pastime during the 1970 summer doldrums was guessing whether the nation was in a recession. Any number could play the game, but politicians were most active. Economists, on the whole, were either uncommonly silent or spoke with a forked tongue.

The views of politicians were easily predictable. Administration spokesmen kept assuring the public that the unfolding economic senario followed the script laid out by the Republican planners (though many of them did not cherish this appellation). Politicians carrying the sign of the donkey saw it differently. They failed to discern the trade off between inflation and unemployment and complained that the Nixon policies were spinning a recession without arresting inflation. The outs blamed the ins for reviving old-fashioned recessions with a new twist: the Nixon economics also carried a strong dose of inflation.

The caution of economists was easily explained. Ritual required that economic indicators speak first to the computers in the National Bureau of Economic Research; only then could the word be revealed to the multitudes. But the sages (or computers) in NBER refused to speak and economists were at a loss to interpret their silence.

Simple folk, a category which includes most of us, also played the recession game. Folowing the well-established law—the one of whose ox is being gored—those who were affected by the economic decline in late 1969 and 1970 had little doubt that we were in a recession. But most were unaffected and so remained inactive spectators in the politicians' game.

Out of the speculation, however, some inconvertible facts emerged. Unemployment rose to 5.1 percent and many feared that it would continue to rise. Only the most optimistic expected that it would decline below 5 percent before sometime in 1971. In 31 large cities and 564 other areas the recession game was a serious matter indeed. Unemployment in these cities had reached over 6 percent, by any standard substantial and, to many, downright disturbing. The usual victims of unemployment—youths, blacks, and members of other minority groups—lived in a recession economy even when tight labor market conditions existed and to them the game was nothing novel.

It is little wonder in this uncertain atmosphere that policy shapers felt uneasy about the applicability of traditional manpower programs which had expanded during the 1960s to train those who were unable to compete for sustained gainful employment. Though initiated in a period of relatively high unemployment in the early 1960s, these manpower programs had undergone considerable changes, and by the time of the downturn (or recession) in economic affairs they focused largely on the needs of the poor, poorly educated, and unskilled—the disadvantaged, in the lexicon of the manpower experts.

The precipitous rise in unemployment during 1970 meant that over a million more people will be looking for work and that the incidence of unemployment will rise by more than double that amount during the course of the year. Hundreds of thousands more will leave the labor market because of gloomy employment prospects. All types of workers will be affected, but unemployment will be concentrated among blue collar workers and those at the end of the labor queue who suffer the most serious disadvantages in competing for existing jobs.

With rising unemployment, not only are there increasing numbers of persons needing manpower service, but there is also a change in the nature of the clients and the economic environment in which the manpower programs must function. Jobs are no longer plentiful, placements are not easy, more competent workers are now competing with the disadvantaged for available jobs, and businessmen are less willing to participate in manpower programs. The programs designed to aid the poor and unskilled in tight labor markets quite obviously must be adjusted to these changing circumstances.

ADAPTING TO RISING UNEMPLOYMENT

The challenge to manpower policy planners and administrators is to adapt programs to serve these new clients without ignoring the interests of their old clientele. The task is difficult not only because of budgetary constraints but also because manpower administrators have little experience in operating manpower programs in a labor market with rising unemployment.

For the purpose of our discussion, it is useful to differentiate between programs in which private employers participate and those which are administered and conducted by government agencies. Manpower programs oriented towards the private sector are likely to be more effective in tight labor market conditions than when slack occurs. Subsidies to hire and train disadvantaged workers, to induce business to locate in depressed areas, or to eliminate discrimination will have their greatest impact when qualified workers are not readily available, when firms are expanding and opening new plants, and when the supply of "preferred" workers are dried up. Conversely, when firms are forced to lay off employees because of declining demand, when they have excess capacity and are trying to eliminate all but their most efficient plants, and when fears of unemployment lead to employee antipathy towards newly-hired disadvantaged workers, OJT or locational subsidies will be less effective. This has clearly been the experience under the JOBS program, where terminations increased and hires decreased markedly in the economic decline at the end of 1969 and the beginning of 1970; in fact, funds originally earmarked for JOBS had to be reallocated to other manpower programs.

Public-sector training is virtually imperative in slack times, if for no other reason than to fill the gap left by declining private-sector participation (assuming that the level of funds allocated to manpower programs is maintained). Institutional training provides at least income maintenance and occasionally useful preparation for work along with basic education. In loose labor markets, the opportunities of potential enrollees to opt for jobs instead of training are reduced, and employers are less likely to pressure training institutions to speed the delivery of trainees. Under these circumstances, more persons are likely to participate in and complete a course of training under the manpower programs. Because placements and employment rates are closely correlated with duration of stay, institutional programs should become more effective.

It is also likely that manpower programs will serve a different clientele when unemployment is high than they did when jobs were plentiful. Increasingly during the 1960s, the more seriously disadvantaged workers were helped—in large part a result of expanding employment opportunities generally. The queue of job seekers moved forward rapidly and the disadvantaged, who were next in line for employment, were most in need of manpower services. But the fact that manpower programs then emphasized the needs of the unskilled, poorly-educated, and members of minority groups subject to discrimination does not mean that they will continue to do so. Under all the programs there has usually been a tendency to "cream" from the available and intended clientele

those most likely to benefit from assistance. If demand slackens, it is safe to say that more advantaged workers will seek out and be selected for manpower programs; workers with more severe problems will receive less attention. For instance, in the JOBS program, as unemployment increased in 1970, the average family income of participants under contract increased steadily, indicating the selection of a less disadvantaged group. No doubt this is happening under other manpower programs, although data are not yet available to substantiate this charge.

A fairly certain development is that disadvantaged workers will find it more and more difficult to find private sector employment, and that they will likely fall into dependency. Because there are many useful jobs which need to be done in the public sector, many of which can be filled by those with low skills, public job creation is urged as an alternative to the expansion of relief rolls. The Senate Committee on Labor and Public Welfare has already reported out a bill (S. 3867) which proposes that one-third of manpower funds be earmarked for public employment projects.

Labor market services should also be adjusted to changing economic conditions. When jobs are plentiful, the public employment agencies function as labor exchanges; but they can also reach out to disadvantaged persons, providing them with needed counseling and help, inducing them to seek and find jobs. When unemployment is high, however, fewer firms turn to the public employment agencies, and those that do can choose among recently employed and less disadvantaged workers. If the needs of the disadvantaged are not ignored, this is exactly the time when job development and placement efforts should be intensified—even though they will be less successful in terms of placements. While the recently unemployed should be aided in quest for work, the hard-core must not be ignored; and if they cannot find private jobs, public employment or other manpower programs should be made available. Unfortunately, most employment service offices become bogged down administrating an increasing unemployment insurance caseload during slack times, and thus play only a passive role as a labor exchange for the declining number of job offers.

Taken together, these adjustments would suggest a strategy which runs as follows: When unemployment rises, manpower expenditures should be shifted into the areas of public employment and training because private employers will be less willing to hire and train disadvantaged workers, and because many previously hired will be laid off because of slackening demand. Institutional training and public employment must be expanded to assist such workers. Because enrollees are likely to stay longer in institutional programs, these can concentrate on basic education and the more serious problems of marginal workers. Adequate income support must also be provided. Private-sector incentive programs must change their focus from increasing the number of hires or relocating firms to reducing the number of workers who are dismissed or the number of depressed area plants which must be closed. In other words, they should perform a holding action so that prior accomplishments will not be undone. The employment service must likewise increase job development and placement efforts for those recently unemployed, directing them to available manpower programs. Outreach efforts must necessarily be diminished, with a holding action again stressed.

Whatever the rhetoric used by the federal administration, the direction of manpower programs has been shifting albeit too slowly along these lines. While most experts would agree that such a strategy would maximize the impact of manpower programs in slack times, one must emphasize the uncertainty underlying these prescriptions. The simple fact is that we do not know how effective manpower programs can be at higher rates of unemployment. In all likelihood some will be better than others, but we cannot expect them to have as favorable an impact in slack times—even though the need for them is more pressing. When demand slackens, it may be wiser public policy to forego training efforts and shift manpower funds to income maintenance. Much will depend on the duration of the recession; it might be wasteful and also frustrating to the trainees to train people for nonexistent jobs.

Underlying the suggested strategy is the assumption that the shifts in program emphasis can be achieved efficiently and with little loss of time. Past performance in the administration of manpower programs does not necessarily support this assumption. In the present case, administration spokesmen have been entirely too slow in acknowledging the economic downturn when it occurred; and needed adjustments in manpower programs have been delayed.

THE POTENTIAL OF PUBLIC EMPLOYMENT

At the center of the proposed shifts of manpower efforts is greater emphasis upon public employment. The normal reaction is to launch and expand job creation when unemployment rises, and this has been the case during the 1970 decline.

Expansion of public employment is probably a wise strategy, but it is not above question. Certainly the evidence of its effectiveness is mixed, and it has hardly been subjected to careful analysis. In tight labor markets there is little interest in public employment programs, while during economic downturns arguments are hastily mounted to get programs underway. Many misconceptions prevail, and these should be cleared up before any large-scale commitments are made.

Public job creation to absorb the unemployed reached its peak during the New Deal. The Public Works Administration, the Works Progress Administration, and the Civilian Conservation Corps provided income and work for millions of people. And despite the image of the leaf-raking WPA worker which still persists, many workers must have done more than a fair day's labor: the thousands of buildings and hundreds of thousands of highways attest to the useful work performed by the New Deal public employment agencies. If a cost-benefit ratio could be applied to these programs, there is little doubt that it would be highly favorable.

More recent experience with public employment programs has been less favorable. The Work Experience and Training Program initiated under the 1964 "war on poverty," for instance, was addressed to a potential clientele numbering more than 2 million, and it was hoped that eventually the program could reach the majority of these people. By 1968, the program had been dropped, with general agreement that it fell far short of intended goals. Out-of-school NYC, another antipoverty effort, started out with high hopes and reached a point where 189,000 slots were planned in fiscal 1966. Here, too, performance was judged to be deficient, and the program has since been cut back to some 30,000 slots. Only Operation Mainstream, a public works program serving mostly older workers in rural areas, has been favorably received, though it has remained a very modest effort.

Public employment programs have been deemphasized the last few years because of the increasing availability of jobs in the private sector, but also because the programs have shared certain shortcomings. First, they were rapidly expanded and then contracted, so that the enrollees' work could not be well planned. While it is difficult to measure the value of work done, available evidence indicates that it was slight. Participants in the programs did not seem to benefit apart from the income they received. The limited dosages of education and counseling consumed a fair amount of time and money, but there is no persuasive evidence that the services improved the enrollees' later work experience. The jobs which were created lacked attraction and carried little prestige, and in many areas there were difficulties in filling available slots. If the analysis of some labor market economists is correct, many similarly unattractive jobs in the private sector also remained unfilled, and in such areas it was simply wasteful to create new jobs in the public sector. Many public employment projects were merely stopgap measures, with few permanently beneficial effects and even questionable impact at the time. Perhaps such jobs were preferable to income transfers, but they were hardly equal to manpower services with a long-run payoff.

Operation Mainstream which provides public employment in conservation work in rural areas is a notable exception. The clientele is older, so that basic education and vocational training are not important components. Their time is productively utilized because very little is spent on training. Since participants would otherwise probably be unemployed, and many of their families on assistance, any positive contribution they can make is all to the good. Clearly the ingredients to success in Operation Mainstream could be duplicated in more rural areas when job deficits exist, but only for a similar clientele.

From this mixed experience, it is difficult to arrive at a clear judgment on the effectiveness of public employment programs. It should be obvious, however, that the term covers many different types of activities, ranging from simple conservation work under Operation Mainstream to paraprofessional positions under New Careers; it can serve a range of clienteles, from elderly workers desiring an income supplement to youths who need preparation for future labor force participation; it can be planned as a temporary measure to cushion the effects of a short-term slump or a long-run measure to combat secular changes in the economic structure.

Unfortunately, these distinctions are too often ignored. Arguments for increased public employment, bolstered by public concern over rising unemployment rates, tend to follow rather simplistic lines. Public employment is urged by those who believe that "structural unemployment" has increased markedly, as more and more workers become obsolete because of technological change. While unemployment rates have fallen among the disadvantaged, and income has increased in recent years, much of this has been due—they argue—to an arbitrary statistical decision not to count enrollees in manpower programs as unemployed or to exclude them from labor force statistics and to the induction into the armed forces of an additional 800,000 men, many of whom would have been unemployed or else would have filled jobs opened to disadvantaged workers. With increasing or higher unemployment rates, many of these more disadvantaged workers are unable to find private sector jobs. The proper course of action, according to the structuralists, is to generate public employment for those who cannot find jobs in the open market.

Supporters are also found among those who see the needs for large numbers of unskilled workers in the rapidly expanding public service areas such as health, education, sanitation, welfare work, and conservation. Though estimates of job vacancies in public employment are suspect and may frequently be blown up to support claims of unmet needs, they have ranged from 5.3 million for the nation in 1966 to 300,000 in 130

large cities in 1968. Whatever the precise number, it is apparent that hundreds of thousands of persons could be absorbed in highly productive full-time public employment.

The most common mistake is to equate estimated job vacancies with actual openings. Various pressing needs always compete for available resources, and in allocating additional expenditures the authorities may opt for constructing new facilities rather than hiring new workers. Even if it is decided to hire additional workers, it would be incorrect to assume that this need can be filled by those who are unemployed, or that supply can be efficiently matched with demand through a subsidized public employment program. Real life is much more complex. For instance, Mayor Carl Stokes of Cleveland estimated in the summer of 1970 that only 2,900 of the 6,900 additional positions needed by his city could be filled, with training, by disadvantaged unemployed persons; 4,000 of the jobs would require more highly skilled workers not found among the clientele of the manpower programs. Certainly Mayor Stokes would not deliberately underestimate the potential utilization of disadvantaged workers. Given a choice, most cities would probably fill their skill needs first; and at least they would require many additional qualified or credentialed employees before they could effectively use the unskilled and deficiently educated, who would require training before they could become fully productive.

Unskilled manpower can be utilized in rural conservation work, which remains labor intensive despite the use of machines to do much of the work which was performed manually in the New Deal days. The problem is that the disadvantaged in urban areas have never expressed great enthusiasm for the idea of moving to rural areas in order to accept minimum wage jobs. Unless unemployment rates are extremely high, as they are for youths in the summer, it is unlikely that the public needs for workers in rural areas will be met from the pool of unemployed in the cities.

Finally, most of the needs, especially in urban areas, are for full-time, long-term workers. But economic slumps since World War II have lasted on the average less than a year. While one might think offhand that numerous tasks could be performed by an enlarged public work force during periods of temporarily high unemployment, the experience of summer NYC suggests the acute difficulties of putting enrollees to work, even at present operating levels. Especially in large cities, there may not be a very large demand for temporary unskilled employees.

Clearly, then, public employment has serious drawbacks in aiding the unemployed during economic declines. While expansion of public employment is warranted, and even promises some success, it should certainly not supplant all other approaches. So far, we do not know whether public employment can put the disadvantaged to productive work in the present day and age, or even whether it is an attractive alternative to monetary and fiscal measures increasing aggregate demand. Public employment must be viewed as an experiment and its implementation must depend upon changing economic conditions; it should not be promoted as a proven solution to evolving problems.

MANPOWER PROGRAMS AND ECONOMIC POLICY

The inherent deficiencies of a rapid expansion of public employment are shared by other manpower efforts. Rapid expansion of these programs is likely to be sustained by allocating increasing shares of manpower funds to income maintenance (which may be desirable in a period of high unemployment but should not be confused with skill training) and administrative overhead.

Of course, manpower programs have been touted as a major ingredient of overall federal economic policies. The argument begins with the recognition that there is a necessary trade-off between price stability and unemployment. The experience of industrial nations has been that prices rise when aggregate demand is high, when employers are hiring to increase production, and when wages are rising as employers compete for scarce labor. Alternatively, prices fall or remain stable when demand is slack, when employers are terminating excess workers in the face of falling sales, and when unemployment is consequently rising. The trade-off between price changes and unemployment has shown a fair degree of statistical regularity over time, which has meant that monetary and fiscal policies influencing aggregate demand could only reduce unemployment by raising prices, or vice versa.

The attractiveness of manpower programs, according to received theory, is that they can shift the terms of trade-off so that lower levels of unemployment can be achieved with less inflationary pressure. Rehabilitation and training programs, it is reasoned, reduce "structural unemployment" by preparing technologically displaced or educationally deficient workers for useful work. In addition to reducing unemployment, prices will be diminished to the degree that the social benefits of the training programs exceed their cost. Improved labor market services reduce the time lost between jobs and, thus, the level of unemployment. Greater mobility of workers helps fill job vacancies which would otherwise have contributed to rising prices in tight labor markets. Thus improved placement, counseling, outreach, and mobility-inducing measures reduce "frictional unemployment," resulting in a decline in both prices and unemployment. Finally, efforts to improve vocational training and counseling of workers and measures to boost the supply of skilled laborers remove labor bottlenecks and increase productivity by lowering unit labor costs.

These theoretical arguments are grounded in economic experience. Manpower programs do promise to improve the terms of trade-off between unemployment and inflation. But the impact of the trade-off should be placed in the proper perspective; members of Congress, executive officials, and even economists have sometimes shared inflated notions about the potentialities of manpower programs. The hoped-for improvements will be realized only over the long-run; even then, their impact may not be great. Currently some *450,000* people are enrolled in Labor Department-funded manpower programs, compared with approximately *4 million* unemployed and more than 80 million in the labor force. If past experience is any guide, a third of the enrollees will drop out of the programs, and more than half will show no benefits in employment and earnings. Improvements for those who are helped cover the initial costs only over the long run, and these improvements might be only slightly greater than would have been achieved by spending the manpower funds some other way.

On the theory that every little bit helps, I would reject the limitations of manpower programs as an argument against their utilization as counter-cyclical measures. As long as their proper role is understood, manpower policy could be used to "fine-tune" the economy, not only by varying the mix of manpower programs in response to economic fluctuations, but also by adjusting the level of expenditures. One way to do this is to provide for an automatic increase in manpower funds when unemployment passes a certain level. The Nixon administration has proposed that allocaitons to manpower programs administered by the Department of Labor be boosted by 10 percent when unemployment reaches 4.5 percent for three consecutive months, an increase of about $160 million at current annual outlays. This trigger mechanism might be extended by additional boosts in manpower funds for increases in unemployment above 4.5 percent. For example, if manpower funds were boosted by 10 percent for each .2 percent increase (above 4.5 percent) in unemployment over a period of three months, there would have been a 30 percent automatic increase of manpower funds in September 1970.

This would probably be a useful measure, for as unemployment increases it is logical to step up aid to its victims. While aggregate demand management can change the level of unemployment, the effects must first filter down through the economy. Manpower expenditures, on the other hand, are directed specifically to those who are most in need of help. Dollar for dollar, manpower programs probably have more impact on unemployment than other types of spending, and expanding them may be the best way to help the unemployed when demand slackens.

None of this is to imply that manpower programs will have a large countercyclical effect. For instance, if an unemployment rate increase of 1 percent triggered a 10 percent increase in manpower expenditures, roughly 45,000 additional slots could be created. The trigger mechanism could be adjusted to release more funds for manpower programs as the 1950 Senate Committee bill did. It is doubtful, however, whether bona fide training slots could be created on short notice. The Senate proposal would still fall short of needs. A 1-percent rise in unemployment means that on the average 800,000 more workers will be out of jobs, and that the number of persons unemployed 15 weeks or longer during the course of the year will increase even more. Any reasonable expansion in manpower programs would absorb only a small proportion of a recession's victims, and manpower policy is hardly a substitute for monetary and fiscal measure in controlling fluctuations. Manpower policy we must have, but we must not overestimate its efficacy in a slack economy.

Mr. DENNIS. Mr. Chairman, will the gentleman yield for a question?

Mr. STEIGER of Wisconsin. I am happy to yield to the gentleman from Indiana.

Mr. DENNIS. Would the gentleman advise us whether or not his original bill, H.R. 10908, contained a section similar to title III providing for public service employment?

Mr. STEIGER of Wisconsin. No, it did not, though within the list of eligible categories in title I of my bill there was a provision which would have made eligible the carrying out of a program of public service employment.

Mr. DENNIS. Is my understanding correct that the gentleman's bill was basically a manpower training bill rather than a public service employment measure?

Mr. STEIGER of Wisconsin. The original bill was both a bill aimed at attempting to decentralize and categorize our present manpower programs, as well as to bring about more flexibility at the local level in order to make the programs meet the needs of the people at the local level. It did not, however, have a separate category of public service.

Mr. DENNIS. Would the gentleman agree with me that a bill which did not contain title III, the public service section, would be a materially different bill

than the bill now before us? In other words, if we have a manpower training bill, that is one thing. It does not necessarily require the creation of public jobs. The thrust of such a bill would be to prepare people for private jobs. Now we have before us a different type of measure. Is that not correct?

Mr. STEIGER of Wisconsin. Yes, obviously so, I will say to the distinguished gentleman from Indiana. When we go back into the House I will ask unanimous consent to include a number of documents within my statement. One of them, to which I would refer the gentleman and ask him to read, is by Dr. Sar A. Levitan, director, Center for Manpower Policy Studies, George Washington University, entitled, "Federal Manpower Programs in a Slack Economy."

The point Dr. Levitan makes, and I happen to think it is a valid point and which is why I support this bill, is that to simply talk about training for jobs in the private sector at a time when unemployment is going up and job openings in the private sector are going down, does not make much sense. We have to recognize there is now a new kind of economic situation from that which we had in the early sixties when employment kept going up and job openings kept becoming available.

Therefore, there is a reason for the dual prong or really a multiple approach of training of upgrading of skills and job opportunities provided for by public service employment for those unemployed.

Mr. DENNIS. The gentleman would agree with me that in view of the different thrust of the two things, a person might easily be in favor of a manpower training type of bill and still have reservations as to a bill which goes into the question of creating public jobs. Is that not so?

Mr. STEIGER of Wisconsin. I will say some might have that view.

Mr. SCHERLE. Will the gentleman yield?

Mr. STEIGER of Wisconsin. I yield to the gentleman from Iowa.

Mr. SCHERLE. Mr. Chairman, I noticed the gentleman referred to Sar Levitan on two different occasions. I know that the so-called workers experience program under OEO, for example, was dropped completely by 1968 because it did not produce results. A noted manpower expert such as Sar Levitan, who is hardly a conservative Republican, has been very critical of public service programs. Recently he said: "Many public employment projects were merely stopgap measures without full permanent beneficial effects and even questionable impact at the time." Mr. Levitan went on to describe such jobs "as hardly equal to manpower services with a longrun payoff." And this is the reason for manpower training—the longrun payoff. Even the very noted specialist the gentleman mentions criticizes the public service because it is not substantial and will not do the job.

Mr. STEIGER of Wisconsin. I will say to the gentleman from Iowa there is no question that public service employment poses many problems. I want to make it very clear that if this were a massive employer-of-last-resort concept, the gentleman and I would be on the same side in opposing it. It is not that. It is in my judgment an effective, tightly controlled, clearly designated public service program of employment to make available to communities with pressing needs that do exist, a program that can be justified in a slack economy such as we have now.

Mr. SCHERLE. If my colleague will yield further, I heartily disagree with this statement, because facts prove to the contrary, that makeshift work, temporary stopgaps do not provide the means for these people for long-term employment. If we can train people for jobs society demands, fine and dandy, but when we have to create jobs with no future for these people, I think we do them harm. Under the public service sector, this will do just that.

I will say as a member of the Committee on Education and Labor, there was no provision for public service whatsoever under the original provision. Under our able chairman, Hon. DOMINICK DANIELS, we travelled from coast to coast on manpower training hearings to try to bring together a comprehensive program and eliminate the loose aspects of the present program, because we have found embezzlement, corruption, and everything else. Then suddenly we are confronted with "public service employment," which really plays no part in this at the present time. It is just unfortunate that we were forced to adopt this portion of the bill to get out a comprehensive manpower bill. It is a sad commentary on the fate of the poor people.

Mr. STEIGER of Wisconsin. I appreciate the gentleman's comment. Obviously I do not agree it is unfortunate that we have this section. I think it is justified, and it deserves to be supported at the present time.

Mr. MICHEL. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Wisconsin. I yield to the gentleman from Illinois.

Mr. MICHEL. Mr. Chairman, I notice on page 7 of the report:

> On a nationwide basis, not less than 18.75 percent appropriated under the Act is to be used for public service employment under Title III.

When we get to the funding of this legislation, whatever the total figure, 18¾ percent of what we appropriate will have to go to this public service area. I am concerned that we may be building into this legislation a special lobbying activity from all the so-called public service entities around the country.

There is a natural tendency for communities to look to the total figure carried in these authorizing bills and then calculating 18¾ percent as their share. If we appropriate any amount less than the full authorized level the 18¾ percent is going to be proportionately less; and I can foresee this very vocal group of public service entities having a disproportionate voice in determining the overall figure appropriated just so they will be assured of getting 18¾ percent of the total authorized level of spending.

Mr. STEIGER of Wisconsin. The gentleman from Illinois may in fact be correct in his analysis as to what the impact of that language is. I felt and still feel that the provision of the 18.75 percent is a legitimate provision.

A compromise was worked out. This does represent a compromise between those who wanted none and those who wanted more. The bill passed by the other body, as I recall, gave something like 15 percent of the funds for this provision.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield myself 1 additional minute.

Therefore, this was an effort to try to reach some understanding which would provide a legitimate amount for this one section, regardless of the appropriation level, even if it were less than that provided in the authorization.

Mr. MICHEL. Is this the only instance in the bill where there is a provision saying "not less than?"

Mr. STEIGER of Wisconsin. It is my best recollection it is the only provision.

Mr. MICHEL. Normally an authorization sets a ceiling for us, and we operate within zero to that ceiling. This would appear to be one where we are bound by a kind of reverse English, "not less than."

Mr. STEIGER of Wisconsin. I do not know that it poses any more difficult problem for the Appropriations Committee. All they would do is arrive at the overall level, and there would be a guarantee for public service employment based on that figure.

Mr. SCHERLE. Mr. Chairman, will the gentleman yield momentarily so that I may perhaps further answer the question asked by my colleague from Illinois?

Mr. STEIGER of Wisconsin. I yield to the gentleman from Iowa.

Mr. SCHERLE. The minimum under this bill is an assurance of $1,405,250,000 over the next 3 years, to be drained away from meaningful job training and dumped into public service employment. There is no doubt that this huge amount must be spent on that category of employment, even if there is no need for it or value from it can be demonstrated. It is mandatory under the provisions of the bill that $1,405,000,000 be spent. There is no way to get away from it.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota, Mr. QUIE.

Mr. QUIE. Mr. Chairman, as the two gentlemen who have spoken so far, I also support H.R. 19519, the Comprehensive Manpower Act. I was glad to cosponsor it.

I should also add that it has the complete support of the Nixon administration, and I feel that a substantial majority in this body too, will be supporting it.

It is true that it is not a perfect bill, as so much of the legislation which comes out is not perfect legislation in the eye of each beholder.

There were three major bills introduced, which came to the attention of our committee. One was by our colleague from Michigan (Mr. O'HARA). One was by our colleague from Wisconsin (Mr. STEIGER). The other was the administration bill.

This bill is not exactly like any of those three, but we find that those three parties, the gentleman from Michigan, the gentleman from Wisconsin, and the administration, have come to an agreement on this bill and support it in the form it is presently in. It is true each of those three, as I, if they could write it better themselves, would probably write it differently. However, I believe it is a good compromise and a good bill and it ought to have the support of all of our colleagues.

This bill accomplishes the single most important objective in President Nixon's manpower proposals—it consolidates within a single authorization a whole series of manpower programs authorized under the Manpower Development and Training Act and under the Economic Opportunity Act. A number of these programs were very narrowly drawn so as to leave little administrative flexibility in their application. The new authorization is broad in scope and will be flexible in operation. It will unify Federal administration of manpower training, and do so in such a way that the program can be made responsive to greatly varying individual needs and to rapidly changing economic conditions.

The following is a list of the programs consolidated by this bill, the 1970 expenditures and the 1971 budget level for each:

Manpower programs consolidated by H.R. 19519 1971 budget and 1970 expenditures

[In millions of dollars]

	1971 Budget	*1970 Estimate*
JOBS and MDTA on-the-job training	345.9	192.0
CEP	212.4	189.1
MDTA: institutional training	205.0	200.0
Public Service Careers	51.0	24.8
In-school Neighborhood Youth Corps	196.4	195.1
Out-of-school Neighborhood Youth Corps	120.7	100.4
Job Corps	191.7	179.5
Operation Mainstream	41.0	41.0
MDTA part-time and miscellaneous	7.0	5.0
MDTA disadvantaged youth program	23.9	10.0
OEO program support	18.8	19.0
Labor Department program support	80.3	57.0
Totals	1,494.1	1,212.9
Change in resources and budget carryovers	+134.3	+266.7
Total	1,628.4	1,479.6

Since the MDTA authorization is open-ended there is really no way of comparing the stated authorizations in H.R. 19519 with the existing authorizations. Also, since this bill's initial authorization is for fiscal 1972, for which there is no budget figure, it has no effect upon the budget. However, the President has budgeted for fiscal 1971 over $1.6 billion for the programs included in this bill. The bill authorizes an appropriation for fiscal 1972 of $2 billion. So the stated authorization for 1972 is very close to current expenditures and, in fact, leaves little room for expansion. It is a conservative bill in this respect. The fiscal 1973 and 1974 authorizations of $2.5 and $3.0 billion, respectively, do provide ample room for expanding the program if that proves desirable.

This bill carries out another major objective of the Nixon administration—to provide a better and more orderly means for the effective participation of State and local government in the manpower programs. It follows the pattern of the administration proposal in encouraging State participation. MDTA operates differently than the other manpower programs which receive authorization under the Economic Opportunity Act, but this makes certain that each State is required to develop plans to fulfill their needs. It does give a major role to large urban areas in the States. I should add the bill is not exactly the way that I think it should work but I know that it fits within the views of the majority of the Members of the Congress who do not want the mayors subservient to the Governors.

Therefore I say that this is a good compromise, because you need to develop legislation so that it conforms with the views expressed by a majority of the Members of Congress.

The bill provides an effective mechanism for government, both State and other governmental entities within States, to consolidate and unify manpower programs. The programs themselves would be conducted with the assistance of manpower services councils which would include representation of all agencies and groups concerned with manpower training. The council in each area would have a central role in the planning and development, and evaluation, of training programs. In my judgment, this is the only way to proceed in constructing a manpower program which is genuinely responsive to local needs.

There have been fears voiced that a statewide manpower council would invade other related programs such as apprenticeship training and vocational education. The bill just does not affect the administration of those programs. It does require representation of these related activities on the manpower services council. It does provide that local manpower plans will integrate their services with any others supported by the Secretary of Labor and utilize other services and facilities where appropriate. In the case of a State comprehensive manpower plan, the State must provide for "the cooperation and participation of all State agencies providing manpower and manpower-related services" in developing and implementing the State program.

This makes good sense. This approach is long overdue in the whole field of manpower training. It is the only way we can assure the maximum return for the billions of dollars we are investing. We must begin to enlist all of our resources in a unified attack on the problems of unemployment and underemployment. This bill is not the whole answer—but it is a beginning.

There have been other concerns voiced about this bill and, I regret, much of this is based upon misinformation about its provisions. There are many problems to be worked out in the development of manpower programs, and while those problems must be faced squarely and realistically, it does not help to exaggerate them.

One of these problems is the role of public vocational education in manpower training. Some of us on the committee were instrumental in developing both the 1963 and the 1968 Vocational Education Acts and the comprehensive manpower bill. We are convinced that vocational education must continue to be strengthened and that this bill would have that effect. It provides for the participation of vocational educators on the manpower councils. It provides for the utilization where appropriate of vocational training facilities. It provides—for the first time—a financial incentive for local manpower agencies to develop procedures for coordination and cooperation with vocational education programs. It requires a special report by the Secretaries of Labor and Health, Education, and Welfare on the extent to which vocational education is being utilized to carry out the manpower programs, and on the administrative steps they have taken to effectuate such utlization. Finally, the Secretary of Health, Education, and Welfare has ample authority to assure that the integrity of the educational component of these training programs is protected.

As a supporter of vocational education, I view these provisions as a major step forward. Hopefully, the day will come when our regular school systems place sufficient emphasis on occupational education that the need for manpower training will be greatly diminished. We must work toward that day. But at the same time we must recognize that vocational education today cannot fill our manpower training needs and at the same time carry out its principal function.

This bill assigns an important role to vocational education. It will help to further strengthen vocational education. There are some who have felt that this would provide for a dual school system and that the manpower program, the manpower development training program, and the Economic Opportunities Act authorizations of the past which do a comprehensive manpower training program, would now create a dual school system. I do not believe that is true.

I believe any possibility of a dual school system coming into being, if it has not already come into being, in the vocational education field already exist because the authorizations for these programs have not been changed from present law in this regard. It is true that under the Manpower Training Act there is a requirement that the institutional programs such as vocational education be given greater stress. I believe that this act, when passed, will operate in the same way. It will be only in those areas where inadequate vocational education is not made available where there is a possibility that other agencies listed in the bill would assume such responsibilities. So, it is only in the case of a vacuum that the danger exists, and if that exists, those services are not already available to the people who need them. The following are letters to the National Advisory Council

on Vocational Education to bear this out:

NATIONAL ADVISORY COUNCIL ON VOCATIONAL EDUCATION,
Washington, D.C., November 13, 1970.

To: Chairman, State Advisory Councils on Vocational Education:

Following the meeting of the Chairmen and Executive Directors of the State Advisory Councils on Vocational Education with members of the National Advisory Council on Vocational Education in Washington on November 6–7, 1970, we took up your concerns as expressed in the passed resolutions (enclosed) with representatives of the Department of Health, Education, and Welfare, the Department of Labor and members of Congress.

Those with whom we spoke were sympathetic with these concerns and enclosed are responses from Malcolm R. Lovell, Jr., Assistant Secretary of Labor for Manpower, Congressman James G. O'Hara (D), Michigan, and Congressman William A. Steiger (R), Wisconsin, and Secretary of Health, Education, and Welfare, Elliot Richardson. These responses go a long way toward relieving the concerns that were expressed at the meeting.

It now seems appropriate that the efforts of both the State and National Advisory Councils on Vocational Education should be directed toward seeing that the views expressed by these responsible national officials are carried out in practice.

Sincerely,

HUGH CALKINS,
Chairman.

U.S. DEPARTMENT OF LABOR,
Washington, D.C., November 12, 1970.

Mr. HUGH CALKINS,
Chairman, National Advisory Council on Vocational Education, Washington, D.C.

DEAR MR. CALKINS: The proposed Comprehensive Manpower Act (H.R. 19519) is an unparalleled opportunity to strengthen the partnership between the manpower programs and vocational education in the development of our Nation's manpower. I want to assure you (and other vocational educators who may have expressed their concern) that the Department of Labor is committed to the fullest utilization of mainstream educational institutions under the Administration-supported bill.

As one who has served both the educational system and manpower programs in my public life, I share the aversion to the possibility that a "dual school system" might ever emerge—one serving the advantaged middle-class, the other serving the poor and disadvantaged. General educational and occupational skill training opportunities must be part of a continuous process, available to all citizens as best suits their individual needs.

The Department of Labor has taken careful steps to assure that the Nation's vocational educators are integral partners in planning and implementing a comprehensive manpower system.

At the State and local level representatives of general and vocational education programs and post-secondary training must serve on the Manpower Services Councils. Responsible to the Governors and Mayors (or other local elected officials) serving as prime sponsors, these councils will have major roles in planning and evaluating local manpower programs. Through Federal regulations it will be clear that the educational community must be represented on these councils by officials such as the Superintendent of Schools, the Director of Post-Secondary Education, and others who have major and substantive responsibility for the community's educational programs.

Second, State and local prime sponsors will rely upon existing vocational education facilities, area skill centers, post-secondary technical schools for the provision of institutional training and basic and remedial education under a community's comprehensive manpower program. The proposed Comprehensive Manpower Act contains strong safeguards against the duplication of facilities and programs or the utilization of the existing educational resources to less than their full capability.

As evidence of the Labor Department's commitment to this policy, it was through our initiative that the incentive funds set aside to stimulate exemplary linkages between manpower programs and vocational education were more than doubled over the level allowed under the Senate's manpower bill. We view these funds (up to $75 million under a $2 billion authorization) as offering an opportunity for very creative and innovative programs.

We strongly support the requirement, introduced by Congressman Lloyd Meeds, that the Department of Labor and the Department of Health, Education and Welfare report to Congress early in the process on the extent to which the vocational education agencies are being utilized under the Comprehensive Manpower Act. We also fully support the intent of the special report, to be prepared by the Commissioner of Education, on the integration of vocational and general education objectives throughout the Nation's school systems. Effective vocational orientation and preparation at the earlier stages of a child's life would obviate the long-term need for many of our adult manpower training efforts.

Finally, the Comprehensive Manpower Act requires the concurrence of the Secretary of Health, Education and Welfare in any actions under the Act of an educational nature. This responsibility extends both to the development and issuance of rules, regulations, guidelines, or standards of performance which would affect educational programs nad the approval of the educational and institutional training components of annual comprehensive program plans and individual project grants.

We recognize that HEW will require effective staff capability both nationally and in its regional and field offices to carry out this major responsibility. I want to assure you that the Department of Labor will lend its vigorous support to HEW's staffing requirements under the Comprehensive Manpower Act.

As both Assistant Secretary of Labor for Manpower and one who is vitally concerned with vocational education, I look forward to new challenges and opportunities for creative partnership under the Administration-supported Comprehensive Manpower Act.

Sincerely,

MALCOLM R. LOVELL, JR.,
Assistant Secretary for Manpower.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., November 12, 1970.

Mr. HUGH CALKINS,
National Advisory Council on Vocational Education, Washington, D.C.

DEAR MR. CALKINS: It has come to our attention that members of the National and State Advisory Commissions on Vocational Education have expressed concern over the legislative intent of some of the provisions of H.R. 19519, the Comprehensive Manpower Act. For the benefit of your membership, as well as that of the State Advisory Commissions, we would like to comment on these questions.

First, some concern has been expressed over the meaning of "concurrence" as used in H.R. 19519. Sec. 108(a) of H.R. 19519 states that "the Secretary of Labor shall not issue rules, regulations, standards of performance or guidelines with respect to assistance for services of a health, education, or welfare character under this title and he shall not provide financial assistance for services of a health, education, or welfare character under this title unless he shall have first obtained the concurrence of the Secretary of Health, Education, and Welfare. Such services include but are not limited to basic or general education; educational programs conducted in correctional institutions; institutional training; health, child care and other supportive services; and new careers and job restructuring in the health, education, and welfare professions."

The phrase "The Secretary of Labor shall not issue rules. . . . shall not provide financial assistance . . . unless he has first obtained the concurrence of the Secretary of Health, Education, and Welfare" cannot reasonably be interpreted to mean anything *but* that the Secretary of Health, Education, and Welfare must give his *prior approval* before the Secretary of Labor can do those things.

It seems to us that the very words of the legislation thus leave no room for doubt that the intention of the bill and of its sponsors is that the Secretary of Health, Education, and Welfare will take positive action on such matters, not merely give them passive acknowledgment.

The second assertion which has been brought to our attention is that this bill somehow conceals an intent to create a "dual school system". This is without foundation.

The Committee Report addresses itself to that fear, and seeks to show that any such concept is foreign to the intent of the sponsors of this legislation.

The Congress has repeatedly rejected the notion of a "dual school system", and sponsors of this bill join in that rejection.

In fact, far from making a "dual school system" possible, the bill is replete with provisions for linkages with existing vocational educational institutions. Section 104 requires vocational educators to be a part of the manpower councils which develop comprehensive plans for the prime sponsor. Sec. 106(b) requires the use of existing educational services and facilities, to the full extent appropriate. Section 504(d) provides a financial incentive to prime sponsors to create and utilize linkages with existing vocational education institutions. Sec. 525 provides for two separate reports on the utilization of such existing institutions.

In conclusion, then, we hope this letter will clarify what had seemed to us to be the obvious intent of H.R. 19519.

Very truly yours,

JAMES G. O'HARA,
WILLIAM A. STEIGER,
Members of Congress.

THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE,
Washington, D.C., November 13, 1970.

Mr. HUGH CALKINS,
Chairman, National Advisory Council on Vocational Education, Washington, D.C.

DEAR HUGH: The Department of Health, Education, and Welfare strongly supports the proposed Comprehensive Manpower Act (H.R. 19519). This proposed piece of legislation will assist the Department to make vocational education more effective in meeting the manpower needs of our nation. It will provide a vehicle for vocational educators to act as partners in the planning and implementing of a comprehensive manpower system.

I believe that the bill gives me the responsibility and the opportunity to review and clear all Federal rules, regulations, and standards of performance which could effect educational programs and other programs under the traditional purview of the DHEW. Pursuant to this authority we will exercise a pre-clearance on the above aspects of State plans and other program plans. The requirement of concurrence gives me the opportunity to ensure that program sponsors of

manpower programs will look to existing vocational education facilities, area school centers and post-secondary technical schools to the full extent of their capability to provide institutional training and basic and remedial education under a community comprehensive manpower program.

I understand there has been some concern among the State advisory councils that this bill might create a "dual school system." I believe that this is without foundation.

The Department of Health, Education, and Welfare must report to Congress early in the process of implementing this bill on the extent to which the vocational education agencies are being utilized. This report will provide the Congress with ample opportunity to see that its intent is fully carried out.

I am pleased to know of your interest in this bill and the active manner in which both the State and National Advisory Councils are carrying out their responsibilities under the Vocational Education Amendments of 1968.

Sincerely,

Secretary.

Vocational educational legislation, as many of you know, has had the strong support of myself during the past few years. I helped develop the 1963 act as well as the 1968 act. I believe the Congress was right in providing for increased appropriations by 78 percent for vocational education above any other type of education. This is where we have the greatest need for improvement.

Mr. Chairman, I believe that this bill will be an assistance and help to vocational education rather than endanger it. I believe it will strengthen it.

Another critical issue is public service employment. There is honest disagreement on this issue. Many would have preferred a bill without a separate public service title. Others on the committee would have preferred a stronger provision than this bill has, or perhaps even a bill limited only to adding a public service employment title to existing manpower legislation. H.R. 19519 represents a reasonable compromise between these positions.

I think it is useful to point out that training for public service positions is not a new feature in our manpower training programs. There has always been authorization to train people for positions in the public sector, including on-the-job training in public agencies. In addition, two specific programs under the Economic Opportunity Act, "Mainstream" and "New Careers," for which President Nixon has budgeted over $90 million, are precisely the kind of activity authorized by title III of this bill. Those OEO program authorizations are repealed by this bill. Also, the out-of-school Neighborhood Youth Corps, which is budgeted at over $120 million for fiscal 1971, is largely a public service employment operation—and this authorization also is repealed by this bill and included in the overall authority of the new legislation.

So it really cannot be argued that title III embarks the Federal Government upon some vast new enterprise of subsidized public employment. The difference between this bill and the existing manpower programs with regard to employment in the public sector is one of emphasis and degree, not one of kind. Many of the arguments made against title III, to the extent that they have merit, apply with equal force to existing programs which would be consolidated by this bill. While there are legitimate questions about the place of public service employment in our manpower program, they are not questions uniquely raised by this bill, and they would not be resolved by removing title III from the bill. I think the prudent course is to keep title III in this bill and see how it functions over a period of time as compared with the previous public service programs. We always have the option of modifying or repealing it.

Mr. Chairman, here are many important aspects of this bill which should be discussed and I am certain that they shall be in the course of the debate. For example, the bill formally transfers the Job Corps to the Department of Labor where it can be fully integrated into the total manpower training program. While some of us might prefer seeing the entire operation folded into the vocational education legislation, this move nevertheless puts the Job Corps in a better context—as an integral part of the larger manpower program.

Then, too, there is the tremendously important authorization of a National Computerized Job Bank which a number of us have been advocating for several years. This is a major feature in a general upgrading of emphasis on better labor market information, which is essential if we are to make significant progress in solving manpower problems. We cannot afford any longer to place our main reliance upon techniques of obtaining and using job data which are as outmoded as the quill pen. This bill moves us strongly in the right direction of developing comprehensive national and regional systems of labor market information.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. When the gentleman uses the expression "public employment—public occupations" the gentleman means government and things of that nature?

Mr. QUIE. Only government. It would be limited to the public agencies. No private agencies would be subsidized to provide employment under title III.

Mr. ROGERS of Colorado. Mr. Chairman, if the gentleman will yield further, the agency itself could go ahead and provide the method of training for public employment?

Mr. QUIE. That is right.

Mr. ROGERS of Colorado. There will be some of us who will not be in the next Congress. If we got an agency to help train us how to get back, could we qualify under this title?

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. QUIE. It depends on what kind of public service one is talking about.

Mr. ROGERS of Colorado. It is very evident that if one ran for public office and did not get reelected he is deficient and needs a little training so he can get back. I want to know if that situation meets the requirements under this title.

I want to know if that meets the requirements under this legislation?

Mr. QUIE. I would expect that it would not, because all of the Members of this body who have been reelected and those who have replaced those who were not elected, want to make certain that no one else learns those skills that we acquired that enabled us to stay in office.

Mr. ROGERS of Colorado. Then the gentleman feels that if I voted for this bill I would not be having a conflict of interest?

Mr. QUIE. No; the gentleman would not be having a conflict of interest, there would not be any chance for that to occur.

Mr. Chairman, I would like to raise one point that a number of people have questioned us about, and that is whether we have in writing this bill provided assistance only for those who are young; who previously perhaps received assistance under the Neighborhood Youth Corps, or the Job Corps, or also for those who are in their employable years, say, from 21 to 55, and whether there is anything now available to those who are older.

As I look at this it is true that we do not have programs set out such as a Green Thumb program, for instance, identified as such in the legislation. I know that there are some who would like to have some of these programs specified and named in the legislation, but I doubt that that would be wise for us to single them out as such.

There have been some excellent programs. I mentioned the Green Thumb program, and there was also the foster grandparents program, and they have been outstanding as assistance for those who are older individuals. Also in the case of the foster grandparents program, it is excellent in what it has done for the mentally retarded children they worked with. It is interesting, as I have probably mentioned on this floor before, that many of the older men who went into the Green Thumb program did so because they wanted to earn some money to pay for their medical bills, and they found out after they had been in the Green Thumb program doing something worthwhile for themselves, and the community could see it was worthwhile for them, that their physical ills went by the wayside, and they did not have the medical costs any more. It is healthy for older people to be able to have some employment.

As we know, the unemployment of the older people has increased as the unemployment of the youth has increased. It is not as great as the unemployment of the youth, those who have not reached the age of 21, but it has been increasing. In 1969 6.8 million persons 55 and older fell below even the most restrictive poverty guidelines. This is up 100,000 over the previous year. Twenty-eight percent of all poor are over 55. Ten years ago they were only 24 percent. Yet, only

about 4 percent of the participants in manpower programs were over 55.

From last January there has been a 103-percent increase in the number of persons aged 55 and over who are still in the labor force and who are unemployed for over 27 weeks.

Mr. Chairman, at this time I would like to engage in a colloquy with my colleague, the gentleman from Michigan (*Mr. O'HARA*), who is one of the main authors of this bill, in order that we can develop some legislative history.

Does the gentleman from Michigan agree with me that it is the intent of the committee and the authors of the bill that the legislation can include older people just as we have included those below the age of 55?

Mr. O'HARA. If the gentleman will yield, it was certainly the intention of the drafters of the bill, and it is the intention of the committee, that all of those who are eligible to receive services under the existing MDTA, or the programs in title 1–B of the Economic Opportunity Act, remain eligible to receive similar services under this legislation. Certainly the drafters and the Congress recognize that older workers have a very serious problem, and they would expect that this serious problem would be faced in the administration of the new program.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield 2 additional minutes to the gentleman from Minnesota.

Mr. QUIE. Under the present authority also, if the gentleman would respond further, there is a provision for national programs to be funded.

Now the purposes of these national programs could be funded locally by the prime sponsors as we understand, but would the gentleman agree with me that there is still provision for funding of national programs? I will use as an example of this, a senior aides program, or the green thumb program, as examples of this type of national program under the authority in the bill we are considering.

Mr. O'HARA. That is entirely right. It is true that programs operated under title I or under title III would have to be sponsored by a local sponsor. But it is also true that the Secretary is appropriated very considerable funds under title IV, and he can use those funds under title IV for the purpose of carrying out programs authorized under titles I, II, or III.

It is here in section 431 on page 51 which reads:

> In carrying out his responsibilities under this Act, the Secretary is authorized under this title to provide for services and activities authorized under any other part of this Act.

He has a considerable portion of the funds authorized for his use under title IV. So he could use that authority to enter into national contracts of the sort the gentleman has described.

Mr. QUIE. I thank the gentleman. It is true we have included people of all ages in this legislation. But in some cases the local communities emphasis may somewhat ignore older people because of the need of the younger people, which exists, let us say, because of unemployment due to discontinuance of a defense contract. The need may be so great that the prime sponsor may feel there is not a sufficient priority locally for the older individuals.

But the need exists for people of all ages, and if that be the case, the Secretary then could move through a national program and provide assistance for it to operate.

Mr. O'HARA. I agree completely with the gentleman's analysis.

Mr. QUIE. I thank my colleague, the gentleman from Michigan.

Mr. SCHERLE. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Iowa.

Mr. SCHERLE. Mr. Chairman, I thank my colleague for yielding. I would like to pursue the colloquy engaged in by the gentleman from Minnesota and the gentleman from Michigan.

Is there any restriction under the present programs by which the various age groups could not be employed or participate? That is, completely forgetting about the public service section or part of this bill.

Mr. QUIE. Is the gentleman talking about title I or title II of this bill or is he talking about the present law?

Mr. SCHERLE. I am talking about the present law.

Mr. Chairman, what programs have restrictions that are confined to the extent where the various age groups could not participate in some contract or under existing programs?

Mr. QUIE. I would say that under existing programs they are categorical ones some only for younger people like neighborhood youth corps so we can get away from that categorization here.

Using Neighborhood Youth Corps as an example, instead of submitting requests within the narrow bounds of a categorical program and the money available in it, a community can survey its needs and if they are greater than normal for young people under 21, the greatest priority can be placed there within the total of the funds available under this bill rather than the smaller amount under the Neighborhood Youth Corps. If the highest priority and the greatest need is for an older group of people, funds would be made available under this authorization rather than requiring the local community to find another categorical program in which their people hopefully could fit. This bill would permit programs to fit the needs of people rather than require the prime sponsors to find people to fit the description of a limited program.

That is the big advantage of this legislation.

Mr. SCHERLE. Is it not true that the present programs can do training for public service jobs under the various authorizations?

Are there not multiple programs in progress today to serve everyone, without having to join another program now costing billions of dollars, called "Public Service?"

It was my impression that the Government should be an employer of last resort and not an employer of first resort.

Mr. QUIE. Title III will make the Federal Government an employer of last resort. It is true that there is public service employment for some people of the various age groups. However, they are bound and restricted in a way that does not make for good administration.

In some communities they are really forced to move where the money is, which may not be the area of their greatest need.

Therefore, under this one, as comprehensive as it is, I think it will enable us to get more results from the money being expended.

I think there will be a substantial improvement under the program providing people of substantial competence who exist at the local level. I, for one, believe that people of substantial competence do exist at the local level who will utilize this program.

Mr. SCHERLE. Mr. Chairman, will my colleague yield for another question?

Mr. QUIE. I yield to the gentleman from Iowa.

Mr. SCHERLE. Would it not be more advisable and less expensive to put the $1.5 billion in the existing programs that we have today, reducing some of the restrictions, rather than to spend all that money on administration when we could be providing that money for training the unskilled, the unemployed, and the underemployed?

Mr. QUIE. My point of view is that there would be less cost involved, but this is a difference in the points of view of the two of us. You believe that it would cost more to administer the programs under this bill. I feel it would cost less. Only time will tell which of us is right. I would say that experience would be more to your point of view, because it seems that the cost of administration goes up on any program. We realize that due to inflation and everything else things cost more. But I am confident that at least it would be a more efficient and effective administration than the program ever has been before.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. My question is directed to unemployment compensation section. I know that the unions are strongly supporting this bill, and I know that one of their goals has been the nationalization of unemployment compensation. At the present time there are about 9.4 million, as I understand it, State and local employees, public employees. Of the 9.4 million public employees, there are only about 627,000 who are covered by unemployment compensation. This means that those public agencies, State and city, who are covered by unemployment compensation would have to absorb all of this, or the others would have to provide either through insurance by a recognized carrier, or by self-insurance.

Of course, unemployment compensation is not under the jurisdiction of our committee, but is under the jurisdiction of the Committee on Ways and Means. But do you think that this kind of pro-

vision on page 35 is really workable, when only 627,000, about 6 percent of the employees, are covered by unemployment compensation—do you think it is workable or do you think this is a sleeper in an effort to bring about the nationalization of unemployment compensation?

Mr. QUIE. I would say first it would be difficult for me to give you the kind of assurance that you ask, not having served on the committee that handles unemployment compensation, the Ways and Means Committee.

I see both the gentleman from Michigan and the gentleman from Wisconsin want the answer. I will yield first to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. I appreciate the gentleman yielding. Section 304 is the section to which the gentlewoman from Oregon has made reference. I have an amendment which I intend to offer at the appropriate time to strike section 304. It would be, I think, fair to say that that is a section that was developed in the legislation, the full impact of which was not totally realized. Otherwise I would not have supported its being there. But I think we can take care of the problem by supporting an amendment to strike the section, and therefore at the time the bill is passed that problem will not be posed.

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Michigan.

Mr. O'HARA. I might say that I for one will certainly support the Steiger amendment. Section 304 is a section which was contained in the original bill I had introduced. At that time the public service employment provisions of the bill involved not only public employers but also private nonprofit employers. When we changed the bill to exclude private nonprofit employers and inserted new provisions requiring equality of treatment, I did not immediately realize the impact that section 304 would have on the situation. I will support the amendment to take section 304 out of the bill, because it would have an effect that was unintended, and an effect that we did not realize until after the bill had been reported.

Mr. QUIE. I recognize the two gentlemen who were instrumental in putting together most of the compromise here have some questions about that provision as well. So no one can give any assurances.

Finally, Mr. Chairman, this bill moves us farther in the direction of the development of a coherent national manpower policy. We are still a long way from having such a policy which would integrate and rationalize all Federal programs in education and training. That is why I have advocated a new Cabinet-level Department of Education and Manpower to provide the necessary focus at the Federal level for this development. I believe that this bill—by consolidating much of the existing Federal manpower effort into a single package—makes the goal I seek closer to attainment.

I urge enactment of H.R. 19519.

Mr. PERKINS. Mr. Chairman, I yield 5 minutes to the distinguished chairman of the subcommittee, the gentleman from New Jersey (Mr. DANIELS).

Mr. DANIELS of New Jersey. Mr. Chairman, H.R. 19519, the Comprehensive Manpower Act, would bring about urgently needed reforms in the existing manpower programs, which in the past have been heavy on bureaucratic proliferation and weak on the placement of people in jobs. This bill, which emerged from the Education and Labor Committee with strong bipartisan approval, seeks to bring order out of chaos and to give mayors and Governors coordinated authority to plan and operate manpower programs together with the Secretary of Labor.

Twenty-seven days of hearings were held by the Select Subcommittee on Labor, which I chair. Documented at the hearings was the widespread need to reorganize and strengthen the delivery of manpower services. Testimony from manpower experts, program administrators, and trainees demonstrated the overwhelming urgency to decentralize and decategorize the present programs.

In addition, the rise in the unemployment rate to 5.6 percent of the labor force gives even greater emphasis to the need for this measure. Today, more than 4.7 million workers are unemployed. This is the highest level of unemployed workers since the fall of 1961.

For these reasons, members of both parties met and drafted compromise legislation incorporating the basic provisions of bills introduced earlier by Mr. O'HARA, Mr. AYRES, Mr. HAWKINS, and Mr. STEIGER of Wisconsin.

All of the bills considered had three fundamental goals:

First. To develop workers' abilities;

Second. To create jobs which will make the most of these abilities; and

Third. To match workers and jobs.

Originally, the intent of the Manpower Development and Training Act of 1962 was to grant the Federal Government a leadership role in providing supportive services such as referrals, research, and consultation. Under this act, institutional skill training services were directed by the Department of Health, Education, and Welfare, and on-the-job training was provided by the Department of Labor. The commitment of the Federal Government to reach out to help the disadvantaged was formalized in the Economic Opportunity Act of 1964.

Since the enactment of these laws, individual programs have lost much of their flexibility. Our hearings uncovered the fact that the proliferation of training programs has led to overlapping and uncoordinated services. It was not unusual for a trainee to go from one skill program to another at great cost to the Government, and never actually be qualified for an available job.

Unfortunately, the well-motivated trainees have become increasingly disillusioned with this obviously frustrating situation. A revised manpower program such as is proposed by H.R. 19519 has become an urgent necessity.

H.R. 19519 consists of a statement of purpose and five titles:

Title I provides for a comprehensive manpower services program to provide for referral to employment; training and related services for unemployed and underemployed persons, veterans, and prison inmates; and improvements in the labor market by developing information systems and reducing impediments to employment. This program includes at least: Education, orientation, employability skills, occupational training, and a range of activities designed to increase employment potential; employment programs for low-income youth, new careers for the chronically unemployed poor in beautification and similar programs; programs to stimulate job opportunities by incentives for public and private employers; and improvements in the labor market through employment centers and relocation payments.

Title II establishes a program of financial assistance to prime sponsors designated under title I or other public or private employers to help such employers train their employees for higher level jobs.

Title III authorizes a public service employment program. The employment must be by Federal, State, or local government agencies and must provide a useful public service. Employees must have been unemployed for at least 5 weeks or have been employed part time for at least 10 weeks. Special consideration is given persons with family responsibility. Employees must be paid the applicable minimum wage or the prevailing rate for the work, whichever is higher.

The employment program must be tied in with other manpower training programs and have specified objectives for moving employees into nonsubsidized employment. Federal support is 80 percent of the cost of the program, but this may be reduced if the goals for moving employees into regular employment are not met.

Title IV provides for a number of Federal manpower programs including: research and development, labor market information, improvement of manpower utilization, evaluation, and training and technical assistance. It also establishes a national computerized job-bank program and a new program to improve employment opportunities for the disadvantaged in federally assisted programs.

The existing Job Corps program is transferred to the Secretary of Labor under this title.

Title V authorizes $2 billion for fiscal year 1972; $2.5 billion for fiscal year 1973; and $3 billion for fiscal year 1974. In addition, this title also provides for a national manpower advisory committee for comparative evaluation of different manpower programs. Title V also contains numerous technical and miscellaneous provisions including appropriate repeals of existing law.

The need for this important legislation was well stated in the President's message of August 12, 1969, on manpower training, in which he said:

> The confused state of affairs in the development of human resources can no longer be tolerated. Government exists to serve the needs of people, not the other way around. The idea of creating a set of programs, and then expecting people to fit themselves into those programs, is contrary

to the American spirit; we must redirect our efforts to tailor government aid to individual need.

H.R. 19519 reaffirms the premise that, with strong Federal direction, local and State governments have the capacity to pull together resources in a way which will provide maximum benefit to the individual. Although this bill is not a panacea, it merits your strong support.

In closing, I want to pay tribute to our late colleague, Elmer Holland, who did so much landmark work in this field, and to Mr. O'HARA, Chairman PERKINS, Mr. STEIGER of Wisconsin, and Mr. QUIE, whose untiring efforts over the past years have helped to bring to the House today legislation which will enhance the entire range of manpower services.

With a comprehensive program of placement, training, and public service employment, our Nation can say directly—to all American citizens—we will assure opportunity for employment to every American seeking work.

Mr. PERKINS. Mr. Chairman, I yield 5 minutes to the distinguished gentlewoman from Oregon (Mrs. GREEN).

Mrs. GREEN of Oregon. Mr. Chairman, first of all may I say that I have the greatest respect for the chairman of the subcommittee, the gentleman from New Jersey (Mr. DANIELS). I do not know of any more hardworking and conscientious Member of the House than Congressman DANIELS. Through the years I have learned more and more to respect him as a Member of this body.

May I also say I believe there is probably nothing that needs reorganization more than the manpower training programs, when we have 22 separate manpower training programs and 34 auxiliary services, with duplication and overlapping. Of the ones administered by the Department of Labor this year we are spending $2.5 billion, at a time of high unemployment. So I am not opposed to reorganization. People in my district have been installed in as many as three manpower training programs and still are on the welfare rolls. It has almost become a way of life with the weekly stipends. I asked to be on this subcommittee in order to see if we could draft a bill to bring about needed changes. For a long time, I had high hopes that a meaningful compromise and an effective one could be written that we could all enthusiastically support.

Therefore it is with deep regret I rise to oppose this legislation and hope it will be recommitted for further work.

The importance of the legislation before us, its significance to millions of Americans and the vastness of the undertaking which it would authorize demands that this Congress make a careful, deliberate, and detailed analysis of everything this bill would intend to do.

We simply have not been able to do this since it was first introduced on September 30, and first formally presented to the House on October 14, the last day the House was in session prior to the election.

To sum up the basic objections to this bill, I refer my colleagues to my remarks in the October 14 RECORD as well as to a brief overview of the bills major problems.

First of all, I do suggest that one of the great needs in the House—in fact, a far greater need than attention to the seniority system—is attention to the committee system.

On October 14, if Members care to look at the RECORD, I pointed out this was a bill literally put together in the middle of the night, and finished at 3:30 in the morning by two or three Members and staff people. There were parts and pieces and bits of six or seven different manpower training programs put in this new 72-page bill. No one except the two or three of the 35 Members knew which parts of which bills were retained or which parts of which bills were dropped. On that same day at 10:30, the meeting was called, and there was no one except the two or three Members who worked on that full committee who had an opportunity even to read the bill to find out what was in it. The 72-page bill, with some new material added—for example—eligibility of rural areas as prime sponsors—was never read in the committee. The 72-page bill was reported out the same day it was put together with copies Xeroxed for Members. It was the intention to take this bill up the day before the recess, but it was delayed on October 14.

This bill is a multibillion dollar bill and will affect the lives of millions of people. I suggest, that when we talk about congressional reform, we really need to look very closely at how the committee system works and to decide for ourselves whether or not we can honestly tell one-time visitors in the galleries that while Members are not on the floor that "the real work is done in the committees."

I suggest the work on this bill has not been done in the committee.

Let me turn to the bill itself.

This bill would create an adversary situation for manpower training by making it a community action program or have the community action agency so deeply involved—at the expense of local and State authorities, funded the first year at a level of $2 billion, and free from the control, or even veto, of a State's Governor.

This bill fails at its efforts to reform by continuing in the committee report the dreary categorization of programs, and although decreasing the number of authorities which deliver manpower programs, it increases the duplication of services, further adding to the frustration of the individual seeking help.

The vast authorities given to the Secretary of Labor in this bill are so broad and comprehensive that almost any criticism of it would be inadequate in the short time which this Congress has had to study all of the concepts involved here.

However, some of the problems of the bill have come to light and have been studied by those affected. In my experience during the recess in Oregon there have been few individuals or groups who in conscience can support this legislation.

In fact, in the words of Glenn "Pat" Randall, secretary-treasurer of the Oregon AFL–CIO:

There is something in this bill to make everyone mad!

Yet, we are asked to approve today, the work of a small group of Congressmen, Labor Department officials, and committee staffers who worked late one night to arrive at a compromise House answer to an unrealistic piece of legislation by the Senate.

The difficulties posed by the bill have never been examined by the House Committee on Education and Labor and the bill in final form with parts of other bills retained or deleted was never subjected to scrutiny in a public hearing in this body. Public agencies never knew which parts were kept, further it has had little attention from the press, and comes before the House today still as a "sleeper." Few of us are really familiar with its provisions, and those of us who are still cannot honestly testify as to what exactly the bill will do.

There are some things, however, which are evident:

First. It puts the community action agencies in charge of manpower programs—if city mayors do not want to be prime sponsors.

Although an effort appears in the bill to involve "local units of government" this is deceptive, for community action agencies retain the major role.

The Senate report summarizes the role of CAA's:

Thus, the committee bill provides that CAAs must be represented on the Manpower Services Council, which will design local manpower programs. It requires that prime sponsors' plans must show that CAAs will be involved in the planning and implementation of the program. It leaves the way clear for a designated prime sponsor to subcontract the operation of manpower programs—or any portion of the program—to CAA's *a procedure which the committee expects will be followed in many communities.* If a prime sponsor fails to meet the real needs of the poverty community, the bill enables a Community Action Agency to protest directly to the Secretary. If a city declines to seek designation as a prime sponsor, the CAA is the next eligible applicant. (Senate Report, pg. 19)

The above summary is also applicable to the House bill since the wording of this section has been directly borrowed from S. 3867. Thus the language of the Senate report will carry the legislative intent for this section.

What is actually being constructed here is permanent operational support for the Nation's more than 900 community action agencies outside of the framework of the Economic Opportunity Act—an expanded role for CAA's that have not been outstanding by past performances.

In both 1967 and in 1969 the Congress took deliberate action to build into the operation of community action programs responsibility and authority of both State and local elected officials. The veto of any Economic Opportunity Act program by the Governor of the State in which the program operates has always been an important factor in the poverty program. Under this legislation, however, no such veto power is authorized any Governor. Under this bill the Governor has a review function only.

In short, this bill creates a $2 billion manpower program which is at least as great and perhaps greater than the entire funding of the Economic Opportunity Act without an effective built-in control by the State government. It is a refunding of the operating arm of the OEO through the aegis of the Labor Department.

Second. This bill fails to solve the most pressing and perplexing problem of the relationship of vocational education to manpower training. It leaves unanswered these questions: First, what is the appropriate relationship between Office of Education vocational education programs and other Federal manpower training programs? Second, how can the confusion that exists between HEW-administered manpower programs and Department of Labor administered programs be reconciled?

By failing to importantly involve vocational education in the operation of manpower programs in the local level, the bill fails to encourage coordination of the effort on the local and State level between vocational education and other related manpower programs.

Its failure to give proper consideration to vocational education in the schools will make it exceedingly difficult for those in education to encourage or even push our high schools and community colleges to better serve that 80 percent of our population that will never graduate from a 4-year college.

Any comprehensive manpower legislation should encourage our schools and colleges to accept "career" or "occupational" training as one primary goal. This bill does little, if anything, to push in this direction. In fact, if this bill stands as written, it encourages a dual educational system—one academic and operated in the traditional manner—and one vocational training system operated by the mayor or the community action agencies.

Rather than exclude, this Congress should exert great effort to create and to integrate vocational education in the total manpower training picture. Schools and colleges should become full-working partners in any manpower service program.

The role of vocational education in manpower programs was the subject of a memo sent by John D. Ehrlichman, Assistant to the President for Domestic Affairs, to HEW Secretary Elliot L. Richardson on September 8, 1970.

In his memo Ehrlichman asked that the following questions be studied:

First. What are the strengths and weaknesses of current vocational education programs? To what extent do the weaknesses reflect administrative shortcomings rather than unsatisfactory legislation?

Second. What is the proper relationship between vocational education and other Federal programs, particularly in manpower and higher education?

Third. How can Federal vocational education programs best reflect the administration's interest in, first, the "income strategy," second, the new federalism, and, third, the blue collar worker?

Fourth. To what extent could substantial improvements in vocational education be made within the current levels of expenditure?

Fifth. How can Federal vocational education programs best serve as catalysts for reform in the often moribund State vocational education agencies, without violating the principles of the new federalism?

Sixth. How can the longstanding confusion that exists between HEW and the Department of Labor in this field be eased, and the administration of Federal vocational education programs be correspondingly simplified?

This memo was written just after the Senate manpower bill was passed and just before the House bill was reported out of the Education and Labor Committee. The questions which it raises, therefore, are timely and important and indicate a very thorough study of the role of the Federal Government in vocational education should be made before any comprehensive manpower legislation is attempted.

Similarly, it should be reported that at least two of the main sources of support cited by the Senate in its explanation of the integration of educational programs are not in favor of this type of legislation at this time.

The Council of Chief School Officers took a position more than a year ago against any comprehensive legislation for manpower without proper integration of vocational education programs. On November 7 in Washington, the chairmen of the State Advisory Councils on Vocational Education voted 40 to 2 to ask Congress to postpone consideration of this bill.

With permission I include a letter from the chief State school officer of my State of Oregon regarding this very problem:

NOVEMBER 16, 1970.

Hon. EDITH GREEN,
Congress of the United States,
Washington, D.C.

DEAR MRS. GREEN: H.R. 19519 must be delayed for more study. It has two serious defects:

This bill fails to provide incentive to encourage cooperative planning between state and local government. It is essential that we strive for a coordinated system of manpower planning and administration involving all levels and segments of government. This will actually set up an adversary situation in manpower training.

Vocational education is not mentioned in the bill in spite of the fact it is considered a vital part of the whole manpower picture. If high schools and community colleges are to be full working partners in the manpower training picture lets include them in, rather than out.

Sincerely,

DALE PARNELL.
Superintendent of Public Instruction.

Third. This bill downgrades the role of the State and the authority of the Governor.

In addition to the heavy involvement of community action agencies in all manpower programs, this bill provides for the potential duplication of the activities of the State offices of employment security all over this country.

The State employment services which are funded under the Wagner-Peyser Act, first passed in the early days of the depression, provided the "nuts and bolts" of all manpower services. These are the testing, counseling, recruiting, and placement activities. They are presently done under the direction of the States and involve all of the resources within the State in locating the areas of need and in providing for the training and placement of those who need jobs. Most of the 22-odd manpower programs now in existence rely greatly upon the activities of the State employment services even where existing programs are operated by schools, cities, or community action agencies.

If the establishment of a new area of government at the local level funded directly by the Secretary of Labor is allowed, the carefully established coordination and cooperation between employers, labor, public agencies, and minority groups that are vital to the placement of the unemployed will be duplicated and perhaps destroyed.

Several specific areas come to mind in this regard: First, veterans; second, apprenticeship training; and, third, unemployment insurance.

First. The placement of veterans has long been a traditional job of State employment services and one which today looms as an even more serious problem than before. In a period of high unemployment, we are expecting many veterans to return from Vietnam to look for work.

However, the preferential consideration traditionally given to veterans is not mentioned in this bill.

The extra effort to assist returning veterans has long been a part of State employment service functions. However, in providing for the duplication of Wagner-Peyser functions by local units of government or community action agencies, this bill does not require veterans assistance should be carried out at the local level.

Second. Apprenticeship information centers have been funded under the Wagner-Peyser Act and operated by the State employment services since November of 1963.

The purpose of the centers are first, to gather and disseminate information on an apprenticeship; second, screen applicants for the joint apprenticeship councils; and third, to involve more minority group participation in apprenticeship programs.

As part of the State employment service, the AIC's work closely with the Federal Bureau of Apprenticeship and Training and State labor bureaus.

Because the activities of the State employment services could be duplicated by local prime sponsors, the careful, controlled relationships between management, labor, and State government which have been so important in offering placement to minority people could be irradicably damaged.

In the State of Oregon, for instance, the apprenticeship advisory committee is appointed by the Governor and consists of representatives of labor, manage-

ment, and from minority groups and community action agencies as well. The force which holds the committee together, however, is that of the Governor's office. It would be a cruel hoax upon the poor, especially those in ghetto areas to destroy the State's influence over apprenticeship and relegate the program to the destructive influences of ghetto politics.

If apprenticeship information screening and recruitment were to become subject to the duplicative efforts of various agencies, a minority person might very well indeed find that his actual chances at possible placement almost nil.

The apprenticeship information centers operated by the State employment services have finally eliminated the old runaround minority persons experienced as they were sent from one apprenticeship center to the next without any hope of getting a job. The apprenticeship information centers further have eliminated suspicion by minorities because they have provided authentic, up-to-date *information* about where vacancies do and do not occur. It also has freed the Bureau of Apprenticeship and Training and the State bureaus of apprenticeship from testing, counseling, and screening functions. The apprenticeship bureaus have been free to concentrate on job placement.

Third. Unemployment insurance: I believe a serious question should be asked. Is the purpose of the bill to provide the basis for federalization of the unemployment insurance program?

Since the unemployment insurance tax on employers does fund Wagner-Peyser activities in a State and funds the unemployment compensation collected by claimants, any efforts to federalize it could be of serious consequence to each State and to employers within that State. I have already pointed out in my colloquy with the chairman that of 9.4 million State and local public employees, only 627,000 are covered by unemployment compensation. Is section 304 workable or is it there to prove it unworkable so we will nationalize it?

As previously stated, also, the downgrading of the State role is significantly carried out by giving the State literally a third choice as an applicant for a manpower services program.

The bill specifically states that, if a State and local unit of government propose a manpower plan for the same area, the secretary shall approve the plan of the local unit of government. The bill also states that when the local unit of government does not decide to operate a manpower services program, a community action agency may submit an application.

There are some who have contended that the ambiguity in the bill's language gives both the State and community action agencies second preference in operating a manpower program. However, the ambiguity in the bill is erased by explicit language in the Senate report:

> If a city declines to seek designation as a prime sponsor, the CAA is the next eligible applicant. (Senate Report, September 9.)

The fourth point concerns public service employment. Title III of this bill attempts to provide jobs for both the skilled and the unskilled as well, in a period of general unemployment.

However, the original intent of this title has become so perverted from its original purpose of providing an alternative to welfare costs and unemployment insurance that it has now become a program for the employers—a sort of revenue sharing program in disguise with 80 percent subsidy to any CAP or local government who applies for funds under this title.

The idea of some of us on the Select Subcommittee on Labor had been to provide an alternative to welfare and unemployment insurance and to provide a means by which those suffering a loss of jobs during an inbalance in the Nation's economy could continue to lead a productive life and continue to support the economy by their labors.

However, this idea was lost when the public service proposal became a part of this bill.

The basic intention of providing an alternative to welfare was dropped and the jobs to be offered under this title could become permanent and a way of life.

This was done by stipulating that the holders of such jobs would be assured of the prevailing wage with no dollar ceiling, and workmen's compensation, unemployment insurance, retirement, promotional opportunities, and career advancement.

My colleague from Wisconsin (Mr. STEIGER) is correct when he says that the bill provides language that encourages these individuals be moved up and out of public service employment and into regular employment.

However, I question that it is possible for this to be done since the basic intent that this should be an alternate to welfare has been dropped and since all the benefits and protections of normal permanent employment have been added. It is possible under this title for an unemployed engineer in a place of high professional unemployment, such as is being experienced now in Seattle, to be hired by a local unit of government at his previous salary.

Although the Senate committee estimates that the average salary to be earned under this title would be $4,000 a year it is perfectly possible for an engineer, such as I have mentioned, to earn $15,000 to $20,000 a year on the public employment program, 80 percent of which is paid by the Federal Government.

And since his place in the job is not in anyway tied to a resurgence in the economy, he could stay as long as he liked and as long as the city on the community action agency can claim that there is work needed to be done which he is capable of doing.

The program then becomes an aid to the employer, but if one is interested in the idea of revenue sharing by local government, as I am, this title as it is presently written offers some grim possibilities.

It is so encumbered by Federal requirements, such as the one that all old as well as new employees of an applicant under this title must be receiving both unemployment compensation and workmen's compensation, that it may convince local government that it should not get involved in either this public service program or any future revenue sharing program which may be established.

It also promises to become so embroiled in bureaucratic regulations and local controversy that it may destroy the very idea of revenue sharing itself.

There are a number of concerned and responsible groups and individuals who have communicated their concern over this legislation to me. Although some national associations who are close to the Federal bureaucracy have evidenced support for this bill I have found that opposition in my own State and in other States as well comes from educators, organized labor, State Governors, local government officials, and associations of both public and private agencies and groups. I include here in the RECORD copies of letters and statements of some of those who have communicated their concern to me:

RESOLUTION ADOPTED BY THE STATE ADVISORY COUNCILS ON VOCATIONAL EDUCATIONAL EDUCATION AT THEIR JOINT MEETING IN WASHINGTON, D.C. ON NOVEMBER 7, 1970.

In view of the fact that both the present manpower, programs and vocational education programs can continue in effect until fiscal 1972, the State Advisory Councils on Vocational Education urge that the Congress postpone further consideration of H.R. 19519 (Comprehensive Manpower Act) until the proposed legislation can be reviewed in light of the evaluation requests made of the Department of Health, Education, and Welfare, the Department of Labor, and the Office of Economic Opportunity, by Mr. John Erhlickman, Assistant to the President for Domestic Affairs.

The State Advisory Councils further urge that, pending the results of the aforementioned evaluation, the Congress enact a comprehensive piece of legislation dealing with occupational education in all its aspects, such legislation to include, but not be limited to, the role of vocational education, manpower programs, and the Office of Economic Opportunity, in occupational training.

DEAR MRS. GREEN: We need comprehensive manpower training legislation, but not H.R. 19519. This bill deserves public hearings and much amending. This bill violates many of the principles of sound government and solid manpower training.

Sincerely,

EDWARD WHELAN,
President and Executive-Secretary,
Oregon AFL–CIO.

STATE OF CALIFORNIA,
HUMAN RELATIONS AGENCY,
Sacramento, Calif., November 9, 1970.

Staff
Hon. EDITH GREEN,
Portland, Oreg.

DEAR SIRS: California is exploring different approaches through the Governor and the Congressional delegation on this bill. We appreciate the efforts of Mrs. Green in seeking a thorough analysis of manpower legislation before passage. We all seek better manpower bills but believe efforts of Congress to rush a bill through could have adverse effects. The best approach, if feasible, would be to delay the matter until the next Congress or at least to delay any implementation date to allow pilot studies.

We look forward to working with Mrs. Green and you to reach these goals.

Sincerely,

ALAN C. NELSON,
Assistant Director, Department of Human Resources Development.

STATE OF OREGON, EMPLOYMENT DIVISION,
Salem, Oreg., November 12, 1970.

Hon. EDITH GREEN,
House Office Building,
Washington, D.C.

DEAR MRS. GREEN: In many instances in the past you have complimented this agency for the fine job we are doing in the manpower field. We have sincerely appreciated the interest you have shown in our activities.

Because of its effect on this agency and the total manpower delivery system, we are much concerned about the manpower legislation now being considered by the Congress—specifically HR 19519, which is scheduled to come before the House on November 17, 1970. We do recognize the need for additional legislation to better coordinate and facilitate the manpower programs in order to better provide for the needs of the labor force.

We have carefully studied and analyzed House Resolution 19519. In our opinion, this legislation does not meet the needs for an adequate delivery system. The need is for the designation at the state level of a comprehensive manpower agency for coordinating and implementing programs. This bill removes all authority from the state and invests total authority in the Secretary of Labor at the national level. Further, the bill completely eliminates the possibility of coordinating activities within a state by establishing a multiplicity of prime sponsors answering directly to the Secretary of Labor. The bill further eliminates the public employment service as a deliverer of manpower services, except in cases where they are able to negotiate a contract with a prime sponsor.

With all the expertise we have in the business of training minority and other disadvantaged people, the job of selling the disadvantaged to the employers is still a difficult task. We feel we have done a good job, and the job we are doing will continue to improve as long as we are able to face realistically the problems of the unemployed.

It is imperative that we have a state coordinating program so that we may help improve the employability of people to meet the qualifications of the employers, as well as continuing to work with employers to reduce their hiring requirements.

That part of the bill pertaining to public service employment is a very difficult type of program to administer, but we feel that with the experience that we have gained through administration of such programs as WIN, STEP and other manpower programs, we would be in a better position to coordinate this program on a state level, through our various local offices, to insure proper screening of individuals and matching them with employer needs.

House Resolution 19519 would seem to decentralize administration of manpower programs, whereas in reality the Secretary of Labor retains total authority and would be attempting to directly administer programs at the local level, completely bypassing state government. In the past, attempts to administer programs on such a basis have been less than satisfactory. Examples of such administrative arrangements are the Concentrated Employment Program, and similar activities. In Portland, where the CEP has been moderately successful, the community action agencies have contracted with the Employment Division to carry out the manpower components of their program. This creates another layer of administration and creates many problems in coordination and communication. It is our feeling that if this program could have been coordinated on the state level, a more effective operation would have resulted.

I would like to also point out that this bill would bring the Apprenticeship Information Centers (which are located in major cities) under the control of the Mayor or other prime sponsors.

When a revision of the employment and training program was first mentioned, the Department of Education and the Governor's Office were two of the prime components for essential statewide coordination. When H.R. 19519 was drawn up, however, these two most important offices were eliminated. Communication on employment and training between communities would be almost totally lacking. We feel that a state comprehensive manpower agency should be designated with the capacity to coordinate programs on a statewide basis, while at the same time allowing full input from local government and community organizations.

I urge you to oppose House Resolution 19519 as presently written and to use your considerable influence toward the passage of constructive manpower legislation. Towards this end, I stand ready to discuss this further with you or to provide additional comments or information which may be of assistance to you.

Sincerely,

ROSS MORGAN,
Administrator.

TEXAS EMPLOYMENT COMMISSION,
Austin, Tex., November 10, 1970.

DEAR CONGRESSWOMAN: On October 1, 1970, we wrote you our concern regarding the Manpower Training Bill, H.R. 19519. It was pointed out that information had been received that a determined effort would be made to pass this legislation prior to the congressional recess for election. As you know, the bill was called up on the last day but was not passed prior to the recess. Reportedly, it is on the House calendar for consideration on November 17.

We are still greatly concerned because of the substantial weaknesses in this comprehensive manpower legislation and urge that these weaknesses be eliminated prior to its enactment. There are four major weaknesses in the bill:

1. It fails to establish a coordinated state comprehensive manpower plan.

2. It would create substantial conflict and confusion, both legislatively and administratively, by requiring that the state comprehensive manpower plan under this Act provide for the conduct of the programs financed under the Wagner-Peyser Act. The state plan under the Wagner-Peyser Act must provide for the employment service program throughout the state, whereas the state comprehensive manpower plan under this Act by Statute covers only those areas in the state which are not included in areas covered by local prime sponsors.

3. It proposes to set up a public service employment program wherein federal, state, and local governments will provide useful public service employment to unemployed persons. The provisions of the bill contain such limitations and restrictions on state and local governments for participation in this program that very few will be able to participate.

4. The bill fails to provide veteran's preference for job training and job counseling services to veterans. This is highly important, particularly with respect to the thousands of veterans who will be returning home as the Vietnam War situation continues to decelerate.

The bill raises some other real questions in that it provides for seven and one-half billion dollars to be spent in the next three years on the manpower training programs. In addition, the public service employment provision places no specific limitation on the period during which an individual may be retained in such employment and, in fact, requires that an enrollee receive the minimum wage and all fringe benefits of regular employees with such employer. A very real question is what incentive does any enrollee in the public service employment have to enter the regular employment field.

We urge that before you support this legislation, the weaknesses pointed out above be corrected. We attach a draft of four amendments which we feel will correct these weaknesses and greatly improve the bill.

Very truly yours,

MRS. NANCY SAYERS,
Chairman.
J. E. (ED) LYLES,
Commissioner.
W. S. BIRDWELL, JR.,
Commissioner.

NOVEMBER 16, 1970.

Hon. EDITH GREEN,
Rayburn House Office Building,
Washington, D.C.

DEAR MRS. GREEN: We in National PTA see legislation to meet the present great need for employment opportunity particularly among youth and among low income families, as greatly to be desired. Nevertheless, we fear the present bill is so confused that it would be ineffective, and raise hopes it could not fulfill.

We should prefer to see the bill restudied and a stronger measure enacted as early as possible in the next Congress.

Sincerely,

MRS. EDWARD F. RYAN,
Legislative Chairman, National Congress of Parents and Teachers.

NEW HAMPSHIRE ADVISORY COUNCIL FOR VOCATIONAL-TECHNICAL EDUCATION,
Concord, N.H., November 10, 1970.

Congresswoman EDITH GREEN,
Rayburn Building,
Washington, D.C.

DEAR CONGRESSWOMAN GREEN: The New Hampshire Advisory Council for Vocational-Technical Education encourages and gives its wholehearted support to your attempt to return the Comprehensive Manpower Bill, H.R. 19519, to Committee for further study.

Besides being a monstrous, political boondoggle the bill presently written has many other defects.

1. It opposes a paramount point made by the National and State Advisory Councils for Vocational Education; that the key to a successful reduction in unemployment of the disadvantaged is to reduce the flow of untrained youth into the pool of unemployed.

On a planned gradual basis a program which only seeks to reduce the unemployed out of the pool will never solve the problem. Success in reducing this problem can only be accomplished by stemming the flow into this pool. Money should be made available to the vocational education departments to perform the education and training so necessary in producing trained and skilled citizens capable of performing the would be needed tasks accomplished by business and industry.

Sincerely,

ANDREW J. MOYNIHAN,
Chairman.
PAUL H. GOLDSMITH,
Executive Director.

SALEM PUBLIC SCHOOLS,
Salem Oreg., November 12, 1970.

Hon. EDITH GREEN,
House of Representatives,
Washington, D.C.

MADAM: When I was separated from the service at the conclusion of World War II, I was employed by Salem Public Schools to head up the Adult Education program, this position I still hold.

I am committed to the idea that education should be performed by educators, and should be organized and administered by

them. I was shocked when I found out during the national conference of National Association for Public Continuing and Adult Education that you will be voting on the Comprehensive Manpower Act, HR 19519, upon your return to Washington, D.C., and that the House of Representatives might take affirmative action on this house act.

It seems to me that the passage of this bill would in effect set up a duplicate educational system for the United States, and this is contrary to my idea of how education should be handled in these United States.

Presently, we have an adequate administrative framework for any educational programs which are necessary in the field of adult education, and we have capable administrators handling these programs. It is incomprehensible to me to visualize setting up a new network of governors and mayors as prime sponsors of manpower programs under the Comprehensive Manpower Act, which would in effect parallel existing efforts in this area.

I am well acquainted with other efforts of the Department of Labor to function as an educational agency, and I want you to know that I feel its efforts have been less than desirable.

Your voting "No" on HR 19519 will be an important step towards stabilizing education in these United States.

Very truly yours,

GEORGE D. PORTER,
Supervisor of Adult Education.

ADVISORY COUNCIL OF VOCATIONAL EDUCATION, STATE OF DELAWARE,
Dover, November 8, 1970.

Hon. EDITH P GREEN,
Representative from Oregon,
Washington, D.C.

DEAR REP. GREEN: A hue and cry arose at the meeting of the State Advisory Councils on Vocational Education (in conjunction with the National Advisory Council on Vocational Education's "State Councils Committee) in Washington, D.C., November 6 and 7 concerning the relative merits of H.R. 19519, the Comprehensive Manpower Act. Since some of the members were not familiar with this latest Manpower bill, it became difficult to obtain a consensus of what direction the group should take. As you know, the State Advisory Councils have representatives of labor, industry, and the general public, as well as professional educators.

Hence, the news that you would favor a postponement until some of the very strong differences among the many different interests could perhaps be resolved, was received with enthusiasm by many.

I am sure that every person attending our meeting is vitally interested in the best education and training for all people, and the funds with which to do the job, but any bill that can evoke so much emotion from all sides, including those of the many assistants sent over from "The Hill," must have a great deal lacking. Should such a controversial measure pass, I see nothing but further bickering and mistrust among the agencies involved. We deserve better than that. Anything you can do will be greatly appreciated.

Sincerely yours,

MARTHA BACHMAN,
Chairman, Delaware Member, NACVE.

CONNECTICUT ASSOCIATION OF MANPOWER EDUCATION,
Waterbury, Conn., November 12, 1970.

Hon. EDITH GREEN,
House of Representatives,
Washington, D.C.

DEAR MRS. GREEN: Your comments in the Congressional Record of October 14th, 1970 in connection with proposed manpower legislation, H.R. 19519, were of great interest to the educators of our Association, since we are deeply concerned with the intent of the proposed bill.

We believe that the language of the proposed legislation is definitely designed to eliminate the role of education in manpower training programs, with every indication that educational functions will be turned over to Labor and community action programs. Obviously the function of established educational channels is circumvented. The use of existing educational facilities and trained personnel may be ignored and extreme concern must be evidenced for the creation of a dual school system.

By all indices, institutional training provided through our State education systems has proven for many years to be the most successful of all manpower programs and has achieved the greatest degree of accountability in trainee growth, employment and fiscal responsibility.

We are not opposed to comprehensive manpower legislation, but MDTA Programs being operated by the Connecticut State Board of Education in State vocational-technical schools and Connecticut public schools will be emasculated by the language of the proposed legislation.

It is obvious that you are knowledgeable concerning manpower training and we commend you for your interest. We hope you will continue your close scrutiny of the provisions of the proposed legislation and exert your influence to assure that positive action by the Secretary of HEW is required in all areas where education and training are an integral part of the new legislation.

Very truly yours,

PAUL V. DUFFY,
President.

As early as a year ago the chief State school officers of this Nation adopted a resolution on comprehensive manpower training, which vigorously opposed putting one department in charge of all manpower programs and urged that vocational education be included in any comprehensive manpower program.

Following is a copy of that resolution:

COMPREHENSIVE MANPOWER TRAINING

The Nation supports a galaxy of remedial manpower training programs, some of which cost as much as $12,000 for every man or woman placed on a job.

Each year thousands of young men and women enter the job market without the skills and attitudes employers require. Add to this the millions of people who are underemployed due in part to an inadequate education.

Out of some 25,000 distinguishable occupations only 20 percent of these jobs require a college bachelors degree or more for job entry. Yet much of the federal, state and even local appropriation and spending for education operates as though *all* students were preparing for jobs requiring a typical 4 year college education.

The National Advisory Council on Vocational Education Report of July 15, 1969 has clearly identified that the reform of American schools (with emphasis on the 80 percent of the jobs not requiring a typical college education) will not come about if the Federal government continue to invest nearly $4 in remedial manpower programs for each $1 it invests in preventive vocational programs.

Several legislative proposals now before the Congress, including a bill supported by the Administration, direct that the vast majority of manpower training resources be placed in the Department of Labor which emphasizes remedial programs.

Therefore, be it resolved that the Chief State School Officers vigorously oppose efforts to give the Department of Labor prime responsibility and prime funds for manpower training for the following reasons:

Under the Manpower Development and Training Act, the Nation's schools have played a central role in meeting our diverse and changing manpower training needs. The schools have led in the development of new mechanisms such as skills centers training, occupational clusters, and open-ended programs. They have developed new approaches to provide occupationally-oriented basic education and communications skills for disadvantaged adults. They have promoted cooperative training with business and industry. They have provided leadership to meet technological change with programs in emerging occupations. They have developed promising new methods and materials to meet the varied training needs of target groups that had previously been ignored. The Congress has emphatically endorsed the success of all these approaches. Many of the innovations developed in MDTA institutional training programs have been adopted by regular school programs.

Despite this successful record administration spokesmen would, under the guise of centralization of overlapping programs, ignore the massive investment and statutory responsibility of the schools in favor of developing a separate school system for the disadvantaged to provide him only with the absolute minimum education and training required to buy a job. Opportunities afforded individuals under this dual system would not be comparable. A short-run manpower program concerned only with placing individuals in entry-level employment is a poor substitute for a successful, long-run, person-centered program of education and training which helps insure future job mobility and the development of the total individual.

Be it further resolved that the Council of Chief State School Officers supports the 1969 resolution of The American Association of School Administrators of 1969 calling for establishment of a Federal Department of Education and Manpower Training.

OREGON VOCATIONAL ASSOCIATION,
November 16, 1970,

Representative EDITH GREEN,
Washington D.C.

Executive Board of Oregon Vocation Association representing vocational teachers and administrators statewide strongly urges you refer H.R. 19519 manpower bill back to committee for further refinement. Language of this and S-3967 very loose. Both bills confusing, difficult to interpret, appear to have potential for establishing dual system of education. Specific deficiencies appear in provisions for non-educators to have major part in creating and implementing educational programs wipes out MDTA. May encourage Dropouts from schools by putting premium on failure. Language rewrite should at very least put responsibility of institutional training with established public educational system.

DAN DUNHAM,
President.

In conclusion, Mr. Chairman, I am not going to make any effort to amend this bill. I believe if it were really amended in the proper way, it would require 20 or 30 amendments. I know the wheels are greased and this bill will go through, but I cannot let this opportunity go by without expressing, Mr. Chairman, my deep concern about the way in which we legislate in this House on programs costing billions of dollars and affecting the lives of millions of people.

It would seem to me that we should recommit this bill; I will not make such a motion but I will support it. It could be considered by the next session of Congress and we could really have a meaningful and effective reorganization of the manpower training programs that is so desperately needed. In addition—with 5 or 6 percent unemployment, the Ways

and Means Committee might consider, with the Education and Labor Committee, a guaranteed job program instead of a guaranteed income. Meaningful jobs would be provided which would be better than welfare or better than unemployment compensation—but not so permanent and so attractive—there is no incentive to ever get off.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. STEIGER).

Mr. STEIGER of Arizona. I thank the gentleman.

Mr. Chairman and fellow colleagues, prior to the explanation by the gentlewoman from Oregon I was a little concerned that the program that had worked very successfully in Arizona was not mentioned in the report, but now understanding the rather expeditious handling of the bill, I can understand how perhaps there were some other things left out of the report, also.

I claim no expertise in the manpower situation, but I would like to call the attention of the House to a program that is known as SER. It stands for Service Employment and Redevelopment. In Arizona it has been eminently successful. It is a community action program to which we can point with pride. It is one in which the Federal Government involvement is limited to furnishing money. The expertise is furnished by local Mexican-American leaders who are concerned with the underemployed among their people.

Mr. Chairman, at the risk of burdening the members of the Committee of the Whole House on the State of the Union with a statistic or two, I would point out that the largest operation in Arizona under the direction of SER, founded in July 1968, and located at Goodyear, Ariz., last year located in excess of 2,200 jobs at an average cost of $766 per employee. This was done with a staff of only 17. This, I might point out with a great deal of pride, was more people than the same program placed in the entire State of California. In my opinion it represents great evidence and very viable evidence of the success of this specific program. The remaining ingredients are dedication and specific knowledge on the part of those who are directing the program as well as action by the community employees who most need the help.

These things have been achieved through SER in Arizona.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa (Mr. SCHERLE).

Mr. SCHERLE. Mr. Chairman, I am quite disappointed with my side of the aisle because this was not a compromise bill at all. It was a Potsdam agreement. Historically speaking, all of us know what effect that agreement has had—we are poor negotiators.

Mr. Chairman, it is my position that new, comprehensive, forward-looking manpower training legislation which will address the real needs of the Nation in the years ahead should be enacted. For this very reason, I oppose H.R. 19519.

This bill would send us down the endless road of make-work employment by public agencies—precisely the opposite direction of genuine employment opportunities which can and should be developed for unemployed and underemployed citizens—at a cost impossible to calculate.

It should be made clear at the outset that, even though this bill is a far cry from the comprehensive reform proposed by President Nixon, I could support it if it were not for the so-called public service employment title guaranteeing a minimum expenditure of nearly one-fifth of the vast funding authorized by this bill.

The main purpose for the following observations is to set forth my objections to this title.

QUESTIONABLE COMMITTEE PROCEDURES

Before examining the substantive problems of this bill, I must object to the manner in which the bill was handled in our committee. If the committee system is to work effectively, it must follow orderly procedures. This bill typifies the performance which, unfortunately, has come to characterize the Committee on Education and Labor.

Following 5 months of intensive hearings, expertly conducted by Subcommittee Chairman DOMINICK V. DANIELS, the subcommittee did not act on this legislation for 5 long months. Then, suddenly, a bill covering only so-called public service employment was introduced and reported by the subcommittee in one session and without discussion.

At this juncture, and even more hurriedly, round-the-clock private negotiations between a few members of the subcommittee and representatives of the Department of Labor produced this bill. Since the subsequent sessions of the full Committee on Education and Labor—in which the bill was reported—were public and covered in detail by the press, there is no need to dwell on them. Suffice it to say that the bill thus reported was not considered in an orderly way. The content of the bill, however, explains the procedure.

PRESIDENT NIXON'S PROPOSAL

Almost forgotten—and virtually abandoned by the Department of Labor in its unseemly haste to draft any legislation—is President Nixon's proposal over a year ago to develop a comprehensive manpower program, decentralized in administration and refocused on the real education and training needs of the unemployed. The President's proposal would have eliminated the narrow and conflicting categories of training—as this bill does to some extent—and would have assured genuine responsibilities at the State and local levels—which this bill does not.

The committee could have worked its will in ways that would have improved President Nixon's bill. It could, for example, have taken constructive action to insure that the manpower programs complement and reinforce existing federally supported vocational-technical education—upon which, ultimately, we must depend for lasting answers to our manpower problems. It completely missed this opportunity.

Indeed, the President might well wonder why his own Department of Labor abandoned his program. The answer may lie in the fact that, except for the mandatory spending requirements for public service employment, this bill could be written in a single sentence: "The Department of Labor is hereby authorized to spend $7,500,000,000 for whatever manpower training programs it wishes to conduct in any manner it sees fit."

PUBLIC SERVICE EMPLOYMENT

The price of any bill at all, and one far too high to pay for the bill thus purchased, was the assurance that a minimum of $1,405,250,000 over the next 3 years would be drained away from meaningful job training and dumped into public service employment. Note that this huge amount must be spent on this category of employment, even if no need for it or value from it can be demonstrated. This not only goes against the thrust of a bill, which eliminates categories; it goes against all sense and reason.

This is not to say that a genuine job opportunity or employment need in the public sector should not be the target of manpower training. Quite obviously it should, and in the absence of this title there would be adequate authority to conduct this sort of training. The very existence of a completely separate title, with its own funding and its own ground rules, suggests a purpose other than bona fide manpower training.

Indeed, this title even suggests a purpose other than even the creation of make-work projects in the public sector because that authorization is also contained in the broad authority conferred by the rest of the bill—section 102(a)(19) on page 10 of the bill. Why, then, is there any need for a separate title?

The only purpose served by the title is to launch the Federal Government on a vast new program, in which even the initial cost will be nearly $1.5 million, perhaps more, since this is a minimum figure, subsidizing employment in State and local public agencies. Worse, the agencies have no compelling need for such employment. Even the committee report, while paying lip service to the notion that these will be meaningful jobs, recognizes that the program is designed for individuals which training programs thus far have not reached.

This program will in fact make the Federal Government the employer of last resort. It is an elaborate "cop-out" from the whole concept of manpower training.

There are arguments to be made on both sides of the issue of whether or not the taxpayers of the Nation should assume this vast new burden, but it is my firm belief that our committee has not given adequate consideration to these arguments, and I reject the idea that the Congress should adopt this course with no further debate.

If the public service employment concept is to be our national policy, it should be determined only after exhaustive deliberation and after the American taxpayer has had a chance to consider the matter. Most Federal income is derived from the personal income of families with less than $10,000 a year, often earned at tough jobs and all too often

at more than one tough job. These are the men and women who really pay for all of these Government programs. Few of them have complained about footing the bill for training someone to earn a decent living. Americans understand and support such programs. But they might find public service employment more than a little hard to swallow. Economists and sociologists can talk all they want about job creation, but when the average taxpayer examines the job that has been created and finds out where the bill was sent, he is not likely to applaud.

I urge that this bill be cleaned up by removing title III, and I will offer an amendment at the proper time to eliminate that portion which detracts from the bill and which will prove cumbersome to administer—the Government should be the employer of last resort—not first resort.

I have listened to my colleague, the gentleman from Kentucky, this afternoon expound upon the various programs we have now in existence.

I have before me a list of manpower programs which they claim will be consolidated—not abolished and not eliminated—but consolidated, which means they will continue to exist. There are 11 of them.

JOBS and MDTA on-the-job training; CEP; MDTA: institutional training; Public Service Careers; In-school Neighborhood Youth Corps; Out-of-school Neighborhood Youth Corps; Job Corps; Operation Mainstream; MDTA part-time and miscellaneous; MDTA disadvantaged youth program; OEO program support; and Labor Department program support.

How in the world can we as reasonable men fund another program costing $1.5 billion and say that we need another program because the existing programs are such that people of various ages cannot participate? I think that is utterly and completely ridiculous.

It seems to me, and I have been on this committee for 4 years, and I have worked with all these antipoverty programs, that consolidation is good. But the need for another program of $1.5 billion to be spent for another program is foolhardy and extremely wasteful.

(Mr. GAYDOS, at the request of Mr. PERKINS, was granted permission to extend his remarks at this point in the RECORD.)

Mr. GAYDOS. Mr. Chairman, I rise in support of H.R. 19519, which legislation I believe is vital today because it will solve what rapidly is becoming one of the country's most critical problems—rising unemployment. This legislation came out of the Select Subcommittee on Labor, of which I am a member, and I know how much hard work has gone into it. Many hearings were held over a period of several months and I assure you its provisions have received critical analysis by all the members of the subcommittee.

H.R. 19519 is important because it consolidates existing job training programs which have lost their flexibility and have become ineffective due to duplication of services or a lack of coordination. It cuts through redtape and streamlines many programs. At the same time, it distinguishes between the ineffective programs and those which have proven successful, such as the opportunities industrialization center.

However, H.R. 19519 is more than just a project to train the untrained. It provides jobs for workers who have completed their training. It is a waste of time and money to train an individual for a particular job and then find his talents are not utilized because there is no place for him. H.R. 19519 also provides hope for the worker who is locked in a dead-end job. I know of nothing more frustrating than to want to improve one's self and yet be unable because there are no opportunities available.

H.R. 19519 also proves to be a link between the Federal Government and local governments. Too often in the past there have been social programs launched with the best of intentions that crashed on the rocks because of a lack of communications between governmental bodies. This legislation gives to the prime sponsors greater control over the operation of the training program.

Mr. Chairman, I represent an area, the 20th Congressional District of Pennsylvania, where unemployment, while below the national average, is becoming increasingly disturbing. The district's rate of unemployment was 4.0 percent in June 1970, as compared to a national average of 5.1 percent. We know, of course, the national average has risen since then and now approaches the 6 percent level. I believe it is safe to assume the increase also is reflected on the district level. In fact, Mr. Speaker, over the past weekend, the news media in my district reported an anticipated cutback in the working force of the steel industry, the bread-and-butter industry of western Pennsylvania.

Title 3 of H.R. 19519 has great potential to ease the unemployment crunch through jobs provided by the public service employment provision. Many vital programs in education, environment, health, and neigborhood improvement have been stagnant due to the lack of qualified personnel to guide them. Title 3 attempts to fill that void, thereby benefiting not only the individual but the community too.

Title 2 of the bill is designed to help the worker caught in a "dead end" job, not because he lacks talent or motivation, but because he lacks the necessary training required to improve his employment level. Under this provision of the bill before us, financial assistance is available to public and private employers participating in the job-training program. The willing worker thus gets a chance to move up the ladder, increasing his value to his employer. At the same time, the rung he vacates can be filled by another untrained worker who has his eyes set on higher goals.

I am heartened by the provision in the bill which permits communities to join other communities, or county and State governments, and become prime sponsors of training programs. Now, many of the present stagnated programs, mentioned before, can be revitalized with the prime sponsors as the operators, not some bureaucratic agency far removed from the scene of the problem.

Mr. Chairman, the proposed appropriation for this new manpower training program totals $7.5 billion, spread over a period of 3 years. Some may feel this is an expensive experiment. I do not. I feel it will be money well spent. This is one program, I believe, where the taxpayer will get a meaningful return on his tax dollar. Furthermore, I am confident this program will prove the Federal Government can work with local and State governments in a real revenue-sharing venture by providing real jobs for all classes of needy.

Mr. Chairman, I urge passage of H.R. 19519 for the good of the American worker, for the good of his employer, and for the good of our country.

(Mr. NIX, at the request of Mr. PERKINS, was granted permission to extend his remarks at this point in the RECORD.)

Mr. NIX. Mr. Chairman, in 1962, the Congress laid the foundation for a national manpower program with the enactment of the Manpower Development and Training Act. That act was a beginning only, and we have amended it five times since then in order to try to meet the problems that were made evident by experience. The Congress also created major manpower programs in the Economic Opportunity Act of 1964, and it also has been regularly amended to meet and try to deal with newly emerging problems.

We have legislated on an ad hoc basis and the result has been an increasing proliferation of different programs and an administrative structure incapable of adjusting to the variety of local situations.

I support the Comprehensive Manpower Act because it is a well-thought-out and carefully constructed solution to the problems besetting our manpower training programs. It abolishes the separate program categories which have forced people to be fitted into the slots available in the programs rather than tailoring programs to meet the needs of people. Training programs will never achieve their potential until we assess the needs of the individual and determine what program he needs—and the Comprehensive Manpower Act provides the potential of doing just that.

The bill also provides an imaginative approach to the vexing question of the relative roles of Federal, State, and local governments in the implementation of our manpower program. We all realize that manpower problems are too localized to be solved from Washington—but we also realize that if the Federal Government is going to provide the funding, it cannot abdicate its responsibility of seeing to it that the funds are spent to achieve national objectives.

The bill achieves these dual objectives by providing for a system of State and local prime sponsors who will develop local plans geared to the needs of their own communities. These plans must be developed with the participation of affected private and governmental inter-

ests, and they must be approved by the Secretary of Labor if they meet the statutory requirements. In funding programs, the Secretary will insure that local needs are met but without sacrificing national priorities.

In its policies of decategorization and decentralization, the bill represents a constructive advance over the present array of programs. But the bill is more than that—much more. There is no point in training a man and then having no job for him at the end of the training. That is a waste of the taxpayers' money and a blow to the trainee's morale. The bill comes to grips with this problem—because it not only trains people for jobs, but also provides jobs for people. With over 4 million unemployed, we must provide jobs or we do not have a manpower program worth the name.

The bill establishes a public service employment program which will provide jobs for the unemployed and—and let me emphasize that and—provide desperately needed public services. While we have millions unemployed, we have a desperate inability to get our public needs met. The public service employment program deals with both of these problems and deserves the support of all those concerned with our unemployed workers and our unmet needs.

The Comprehensive Manpower Act is a workable, bipartisan approach to consolidating and improving our manpower programs. I urge its enactment.

Mr. PERKINS. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan (Mr. O'HARA).

Mr. O'HARA. Mr. Chairman, in 1962 I was privileged to be a member of the subcommittee which was then chaired by our good friend, the late Member from the State of Pennsylvania, Elmer Holland, that put the original Manpower Development Training Act legislation on the books.

I have been a member of the subcommittee that has worked on and produced each of the succeeding revisions and extensions of the Manpower Development and Training Act.

I have worked under the leadership of the gentleman from Kentucky and the gentleman from New Jersey on these programs and on the manpower component of title I(b) of the Economic Opportunity Act.

I noted during that period of time that there was great bipartisan support for this program. I might say that the first real attacks that I have heard on these programs in the Congress have been just in the last few weeks.

One thing on which we agreed—and I think it was good for the country that we did—was the advisability and the necessity of a strong Manpower Development and Training Act. I might say that each and every time we went back to that legislation—and we have done it several times—we have strengthened these programs and made them better. This bill that is before us today is but one other step in the process of strengthening these programs and making them serve more people and serve them more effectively and more efficiently. That is why we are here.

We are not here to create a boondoggle. Indeed, manpower programs are too widely respected and too important to the American people to turn it into a boondoggle. We are here instead to improve the administration of the programs that we now have. We are here instead to provide two new components that a manpower program ought to have but our programs have not had, and we have had hearings on them not only in this Congress, but we have been talking about them for years. They do not come as a surprise to anyone.

So it is almost in fulfillment of an unwritten tradition that H.R. 19519 comes to the House under the sponsorship of 10 Democratic and nine Republican members of the Education and Labor Committee. It is in keeping with the traditions of manpower legislation that the chairman and the ranking minority member of the committee are among its sponsors, as are five of the six subcommittee chairmen of that committee.

Furthermore, Mr. Chairman, it is part of the customary consensus that surrounds manpower legislation that brings this bill to the House with the endorsement of business groups such as the U.S. Chamber of Commerce and the NAM and with the endorsement of organized labor. The bill comes to the House with the endorsement of the American Vocational Association, the U.S. Conference of Mayors and League of Cities, with the endorsement of common cause, which grew out of the Urban Coalition Action Council, with the formal endorsement of the Republican leadership of this House, and of the administration, and to the best of my knowledge, without the formal opposition of any major segment of the American public, any major segment of the economy, any major social group, any major political organization, or any of the professional organizations which might be expected to be concerned.

H.R. 19519 is probably not perfect, Mr. Chairman. It was written by fallible human beings, and they usually fail to achieve perfection. But it is a bill we can all be proud to be involved with. It is a bill which will broaden the content of our national manpower services, and it will improve the system by which those services are brought to those who need them.

No service now available will be lost, no client now receiving manpower services will be deprived of them, no community need suffer any reduction in the level or quality of manpower services that are now available. And, indeed, new services and new programs will become available, along with improved means for the community to be involved in the planning of these services and their delivery.

The first objective sought by the drafters of H.R. 19519 was the consolidation of major manpower programs into one flexible instrument.

We did not seek to find a single kind of manpower program which would meet everyone's need. That search would, of course, have been doomed to failure from the start.

Manpower programs serve many different clientele, with many different needs. So we did not try to find one answer to 100 questions. But we did try to take the various authorities, most of them statutory, upon which existing major manpower programs are based, and replace them with this one enactment. We sought to equalize the allowances available for various programs. We sought to so describe the kinds of programs that could be offered as to take full advantage of what we have learned in the past, without unduly restricting access to any given program. We sought, above all, to put an end to the situation where a manpower program designed for a particular clientele might be vainly searching for enough people who fit its specifications while another program, designed for a slightly different clientele might be unable to meet half the demands placed upon it. Excessive categorization, Mr. Chairman, had resulted in just that kind of situation, and it had created rigid walls and dividing lines where doors and windows were needed instead.

We have, then, decategorized in the sense that separate programs are no longer carefully and rigidly defined, each with a specific clientele, each with a separate authorization and a separate statutory base. However, Mr. Chairman, we have retained virtually all the authority for the substance of each of the existing programs.

Let me be more specific.

In section 102, which is the bill's "shopping list" of basic manpower training programs, there is no mention by name of the Opportunities Industrial Centers, or of Operation SER, a generally similar program which is rendering valuable service among Spanish-speaking communities. But there is section 102(a)(2). Read in context section 102(a)(20) provides that—

> The Secretary shall, to the extent needed in each State or local area, provide comprehensive manpower services which shall include but not be limited to, the development of job opportunities through the establishment and operation of centers for low-income persons who are unemployed or underemployed, providing recruitment, counseling, remediation, vocational training, job development, job placement, and other appropriate services.

This is, let me repeat, just one of the 20 items on the shopping list. Similar entries on the list repeat existing authority for the job referral and placement functions of the public employment service, institutional training, basic education as a part of skills training, outreach, prevocational orientation, work experience, on-the-job training, part-time training, the basic language under which the Neighborhood Youth Corps was first created, language which underlies the JOBS program, and the authority for operation mainstream, New Careers, and most of the other MDTA and OEO manpower programs. We have not sought to cut back on the kinds of services and programs that can be made available to those in need of manpower services. We have simplified the statutory substructure.

In titles II and III of the bill we have actually expanded the kinds of manpower services available. Title II tries to fill

a need which on-the-job training programs could have filled but did not—the need for a formal program of occupational upgrading—training by which people who do have jobs, who are a part of the industrial mainstream can be helped up the job ladder.

Under the title II upgrading program, employers who undertake to provide skill training to their own employees to prepare them for positions of greater skill, responsibility and pay can apply to the Secretary for assistance. If the Secretary makes an agreement with such employers, he will pay them ninety percent of the actual instructional expense, other ordinary and necesary training costs, and trainee wage payments for the time spent in training, less, of course, the value of productive services rendered by such employees. In addition, employers can receive bonus payments calculated under formulas which in effect reward the employer for actually upgrading the employee and for retaining him in his employ for a substantial period of time. The bonus payments are stretched out over a period of time in order to make sure that the employer is not merely retaining the employee to collect the bonus, but that, on the contrary, he has done a good job of training him, and has turned the employee into an even more useful employee than he was at first.

Upgrading was always a possibility under MDTA, but in our very understandable national concern with the plight of the disadvantaged, we have tended since 1965 at least to softpedal manpower programs which are designed to bring services immediately to those who are in the economic mainstream, and to emphasize instead those programs whose immediate beneficiaries are those outside of that mainstream. Upgrading programs are not, of course, barred to the disadvantaged or even intended primarily for those who are not disadvantaged. But upgrading, by taking men and women who have full-time jobs and helping them get better jobs, is a way of helping the blue-collar worker directly, and, by making the entry level job which he vacates available, it also helps the man who has no job and no job skills at all. Upgrading, in other words, helps clear that bottom rung on the job ladder through which those who have never been in the real job market must enter it. But it does so by helping those who are on those low rungs to get to higher rungs.

Title III of this bill adds yet another basic kind of manpower services and one which, in the times in which we find ourselves, will be of special significance to a great many Americans of all walks of life.

I refer, of course, to the creation in title III of a public service employment program. Since this is the major substantive innovation of H.R. 15919, I will spend more time discussing it than I have on the other substantive programs.

From a careful reading of my mail, of the comments other Members have made, and some of the descriptions that have appeared in the press, I am persuaded that I should begin by telling this House what the public service employment is not intended to do.

First, Mr. Chairman, the public service employment program is not a poverty program. It is not and never was intended to be, limited to the hard-core unemployed. It is, and has always been intended to be a program for the unemployed—long-term or not such long-term; skilled or unskilled. It is a program designed to put people to work when they are not working, and I, for one, make no apologies whatever for the fact that among the people who will be put to work under this program will be people who have come from good jobs, and who will, when economic conditions are better, probably go back to those same good jobs.

Second, Mr. Chairman, public service employment is not a substitute for the family assistance plan. It is not a substitute for unemployment compensation, nor is it any other grandiose solution to all the mammoth complex of problems posed by the existence of people for whom income maintenance programs are needed. If there are members who at one time persuaded themselves that public service employment would let us do away with welfare or with unemployment compensation, or with other symptoms of the fact that there is poverty in our society, then I am sorry they misunderstood. But I never sought to sell public service employment on such a basis, and I know of no supporter of the concept who has done so.

Public service employment, Mr. Chairman, is one means—one out of many means—of combating the economic distress that springs from unemployment. But in my most optimistic dreams, I do not anticipate a public service employment program that will permit us to solve the problems of every person who needs financial assistance. Public service employment is not going to meet the needs of the welfare mother who cannot leave her children to accept it. It is not going to meet the needs of the senior citizen who may be physically unable to work. It is not going to meet the needs of the disabled and handicapped American who cannot work. It is not going to end the need for a family assistance program. But it may alleviate some of the demand on such a program. It may make it possible for the funds appropriated for such programs to get to more people.

Public service employment is not a temporary make-work program to be utilized solely in times of recession—or transition—or whatever you may want to call ties such as these.

Public service employment visualizes putting people who need work to work at jobs which need to be done. We are not talking here about "leaf raking" though we may well be talking about maintenance and operation of parks and other conservation-centered activities. We are not talking about building dams or hospitals or schools, but we are talking about hiring people to work inside those hospitals and schools.

The bill itself contains a shopping list in section 2(g) and another such list in section 102(a)(11). Both of these lists are illustrative, rather than definitive. But both of them give the reader an idea of the kind of work we expect and intend public service employment programs to support. The jobs should be jobs providing needed public services. They should be jobs which the public agency providing them might not otherwise be able to undertake, but they should be jobs which that agency feels are a relatively high-priority investment of public funds. We are not creating a program of "make-work" in H.R. 19519. There is no need to make work. The times in which we live have created a very ample amount of work that needs desperately to be done. All H.R. 19519 seeks to do is to help finance the work. In doing so, this bill will serve the public interest both in terms of helping get needed work done, and helping unemployed people to find work.

Public service employment, Mr. Chairman, is not intended to be a kind of second class job a kind of last-resort employment which self-respecting Americans will take only to avoid the dole. These jobs are to pay the same salaries and to provide the same fringe benefits as those paid to and enjoyed by other people working at the same public jobs. Earlier proposals to limit the salaries at these jobs to some percentage below that paid to other people doing the same work for the same employer were rejected out of hand and will continue to be opposed by the sponsors of this bill. We do not intend, Mr. Chairman, that the people holding public service jobs shall be treated like charity cases. As long as they are working and performing a public service, they shall be compensated, both in salaries and fringe benefits, just like the people working next to them.

Public service jobs are an honorable way of making a living, and should carry with them neither an economic disadvantage nor a moral stigma.

And certainly, Mr. Chairman, it would ill behoove the Congress, composed as it is entirely of people on the public payroll, to point the finger of scorn at other people on the public payroll as though that payroll were fit for no one but the incompetent, the unambitious and the lazy. If there are any among us who think that working at a public service job is beneath the dignity of the self-respecting, then to be consistent, they should leave this public service institution at the first opportunity.

While we are discussing the concept of equality of treatment, Mr. Chairman, there is an amendment that I wish to announce will be offered later, and which the bill's sponsors have agreed to accept.

Section 302(e) of this bill expresses the basic concept of equality of treatment, and we are all in agreement that that subsection shall remain intact. Section 302(e) provides simply and in express words, that all public service employees shall receive fringe benefits such as unemployment compensation, workmen's compensation, retirement eligibility, health insurance, and other benefits at the same level and to the same extent as other employees of the employer, and that they will be entitled to working conditions and promotional opportunities neither more nor less favorable

than other employees. To that principle, the sponsors of this bill will admit no exceptions, no qualifications, no weakening.

Section 304 which comes two pages later, was taken from an earlier draft of the bill—and was put in the bill when it was envisaged that private employers as well as public employers might be eligible to sponsor public service jobs. Section 304 provides, in effect, that employers who are not required under State law to provide workmen's compensation and unemployment compensation to their employees, must undertake to do so through self-insurance or other devices, in order to be eligible employers under this Title.

As I say, Mr. Chairman, this section was meant to apply primarily to private employers, and, if private employers were still eligible under this title, I would insist that section 304 remain in the bill. However, private employers were stricken from the list of eligible sponsors. Section 304 should, in all probability have been stricken at the same time.

Since that time, Mr. Robert Guttman of the Legislative Reference Service, at the request of the subcommittee, has looked into the impact of section 304 on public employers. He has advised us that only a very tiny fraction of public employment now—at the State and local level—is covered by unemployment compensation, and an indeterminate but not very massive percentage is covered by workmen's compensation. Thus, for a local agency to participate in title III might require that agency to cover all its employees—current employees as well as the new ones—for both unemployment compensation and workmen's compensation. Further, such coverage might very well not be simply subject to the discretion of the local agency under applicable State law. It might well become necessary for a locality to obtain permission from the State legislature to extend such protection to its employees and this might delay the initiation of a public service employment program for months or even years, if not prevent it altogether.

Clearly, the principle of equality of treatment of title III employees and other employees does not require that both be given benefits neither enjoys without the program. Clearly, too, as valuable as the concepts of unemployment compensation and workmen's compensation are for public employees, it serves no one to prevent the tiring of title III employees until the day—I hope not too distant—when all public employees, employed under whatever authority—and covered by these benefits.

I would want at this point, Mr. Chairman, to make perfectly clear my own commitment to and unequivocal support of legislation which would extend Federal unemployment compensation to all public employees, at whatever level. And I believe, too, that the State legislatures should move to strike any existing bans against workmen's compensation for public employees—following, in this, the lead of the Federal Government, which extended workmen's compensation to its own employees nearly 60 years ago, and which is still a pace setter in the workmen's compensation field.

But, because of the deletion of private title III employees, because of the unintended impact of section 304 on public agencies, and because we have secured such broad bipartisan agreement for the language of section 302(e), I am prepared to accept an amendment later today to strike section 304 from the bill, and I am happy that the gentlemen on the other side of the aisle are in agreement with me on this point.

A few more words, Mr. Chairman, on what public service employment is and what it is not, and on what title III provides, and I shall conclude on that topic.

Public service employment is visualized under this legislation, rather differently than existing programs of the Department of Labor to which it has been likened.

Public service employment, for example, is not primarily a training program, though training services under title I can be made available to title III employees in appropriate cases through title I channels, and using title I money. Title III is intended to put people to work. Title I is intended to provide people with other manpower services. The authority and the funds under these two titles should not be confused.

The language to be found in subsection 302(g) requires public employers to operate or maintain linkages with upgrading programs under title II, or other Federal manpower programs for the purpose of assisting such employees to find permanent, upwardly mobile careers, with the same or other employers. Subsection (h) requires that objective shall be set for the movement of title III employees into employment not supported by this title.

Mr. Chairman, let no one interpret this title as giving authority to the Secretary of Labor to establish preordained, rigid and restrictive time limits on the employment of specific individuals under title III. The objectives which are authorized under title III should be set, agreement by agreement, through negotiation with each employer, and in the light of the actual conditions which confront the actual employer and the actual employees at the actual time and place of the agreement. If the employer simply fails to abide by agreements into which he has freely entered, he may and indeed he shall have the Federal share of the costs of subsequent agreements reduced in an appropriate amount. But this penalty is not to be utilized simply as a cattleprod, designed to rush title III employees into and out of jobs without regard for the condition that prevail. If there are no jobs "out there" in the economy, there is nothing in H.R. 19519 which requires or justifies kicking title III employees back into the unemployment from which this title has rescued them. H.R. 19519, Mr. Chairman, to reiterate a concept I sought to express earlier, does not rest on the assumption that public employment is economically wasteful, fiscally irresponsible, or morally weakening. We want to extend the benefits of title III to as many people as may need it, and we are perfectly willing to encourage employers to move their title III employees upward and into nonsupported employment, but we have not designed title III as a revolving door, hinged on the premise that "a welfare job and a welfare check" are equally degrading.

One last point about the public service employment program, Mr. Chairman, and here I must refer to a later part of the bill.

In section 502, the bill prescribes the allocation of funds among the several titles of the act. Basically, the section allocates 25 percent of the funds for title IV, and allows the remaining 75 percent to be distributed among titles I, II and III as shall seem appropriate. Section 502(b) further authorizes the Secretary to transfer up to 25 percent of the amount allocated to any given program under the act to another program. This subsection concludes, however, with a very important proviso. This language, to be found on p. 52, lines 17–20, of the bill, reads:

Provided, That on a nationwide basis an amount not less than 18.75 per centum of the amount appropriated under this Act shall be used to support public service employment under title III.

Mr. Chairman, I call the attention of the House and of the Department of Labor, to the words "shall be used to support public service employment under title III." The proviso does not permit the Secretary to arrive at the 18.75 percent floor figure by counting, for example, overall administrative costs which have been arbitrarily alloted to title III. It will not be possible, for example, to to fund upgrading or training programs out of the 18.75 percent that may be allocated to title III, and then claim that the allocation has met the requirements of the proviso. 18.75 percent of all the funds appropriated for this act must be used to support public service employment, and other costs either must come out of other allocations, or, at the very least, be in addition to the 18.75 percent allocated to title III.

If, Mr. Chairman, by some reversal of present economic trends, we arrive at that happy day where there simply are not enough unemployed persons to utilize 18.75 percent of the funds appropriated under this act in furnishing them with jobs, then I will be the first to support legislation relaxing the rigorous interpretation which I have today made of the proviso in section 502(b). But until then, I think it important to insist more urgently that these dollars be put to the use that was in our minds when we drafted the proviso to section 502(e).

I shall soon relinquish the floor, Mr. Chairman, to my colleagues, or yield for questioning. Let me however, conclude these introductory remarks by saying something about the delivery system enshrined in title I of the bill.

I say no more than I have said before when I confess that delivery systems do not seem to me to be the vitally important matter they are to those who derive their living from operating them. Eighteen months ago, when I introduced H.R. 11620, with the consponsorship of 115 of my distinguished colleagues, that bill was

virtually silent about "delivery systems." And to my good friends in the manpower game, who accused me of ducking the hard question of a delivery system, I demurred.

H.R. 11620, I said, in effect, leaves the Secretary of Labor the hard job of working out a delivery system, and does not do the work for him. But I think that is all right, because I am not convinced that a single delivery system, all nailed down in legislative form, with all kinds of hard decisions apparently previously decided for the administrators, is essential.

We pay manpower administrators quite handsomely to make tough decisions. We should not protect them from the consequences of their own mistakes by giving them legislative language to hide behind when they make mistakes.

I made this observation at least partly because of my conviction that whatever the Congress may do legislatively, the bureaucracy will only carry out what they want to, anyway.

Well, Mr. Chairman, the solution I proposed—and which I still think would work best—to give the full authority and the full responsibility to the Secretary of Labor, or to the Secretary of Health, Education, and Welfare, or to some one Federal official, at one and the same time—letting him make the decisions, and letting him answer for his own mistakes—this modest proposal suffered the fate of all simple solutions. And I mourn its demise with moderation, because I still don't really think the delivery system question is that central to the manpower problem.

H.R. 19519, Mr. Chairman, does have a delivery system. And while it relieves the Secretary of Labor of making a great many decisions, it still vests some discretion on him. I hope that in future years the Secretaries of Labor will not claim great personal credit for the happy results of doing what the law says, and blame the Congress for the mistakes they make when they exercise their own discretion. But my hopes, like my regrets, are moderate.

Essentially, the "delivery system" for title I programs is the prime sponsor. And essentially, the prime sponsor is, first, a local government or group of governments, as described in section 104(a)(2), secondly a state, and third, in the absence of an application from a local government, a community action agency.

The population requirements for a prime sponsor are set forth in the bill, as are the exceptions to it. The prime sponsor is required to make an application, and the application must meet certain conditions set forth in section 104(b). The conditions include the appointment of a manpower services council which will assure that all interested elements of a community are involved in the development of a comprehensive manpower plan.

The prime sponsor's application must set forth, in effect, a "mix" taken from the programs available under title I, adapted to the needs of the prime sponsor's area. Here, in the ability of the prime sponsor to request and the Secretary to deliver a varying mixture of programs and services as needs vary from area to area, is the real meaning of decategorization and decentralization. Here is where it is essential that there be the kind of program flexibility that H.R. 19519 permits—and, indeed, requires.

Local prime sponsors are given an unmistakeable priority over other eligible sponsors, and in view of the clear intent of the bill that local sponsors are the "preferred instruments," it would seem appropriate for the Secretary of Labor in issuing his regulations and guidelines under this title, to so set such guidelines as to effect this preference.

I would hope, for example, that we would not again hear of the Department of Labor requiring local prime sponsors to utilize the public employment service as an overall purveyor of manpower services many of which are wholly beyond the competence of those agencies.

Section 105(b)(6) requires that a prime sponsorship application shall include provisions for utilizing "to the extent appropriate" services already available from existing Federal, State, or local agencies. And, to the extent appropriate, the public employment service should probably be selected by the prime sponsor as an employment service. But it has no prima facie claim to be the chief operating arm of the prime sponsor. It has no claim at all beyond those areas in which it has a demonstrated competence. As chief sponsor of this bill, I trust that area of competence will not be "interpreted" or "guidelined" beyond the bounds of reality.

My words, Mr. Chairman, should not be interpreted as showing any particular animus against the public employment service. Section 105(b)(6) clearly suggests that existing public agencies ought to be used wherever they are appropriate to use. But I would hope that under this legislation, there might be some trend away from conferring official responsibilities and slicing up power among agencies and people solely in terms of the title they bear.

To give another example, the Secretary's decisions regarding aid to educational institutions under this bill, like the judgments regarding health and welfare services, must be made—with the agreement—the prior approval—of the Secretary of Health, Education, and Welfare. And that is as it should be. But, Mr. Chairman, I would hope the Secretary of Health, Education, and Welfare would do more than look at an organization chart when he decides who will get a "piece of the action" under H.R. 19519.

In short, Mr. Chairman, the thrust of this legislation is not to safeguard those particular professional interests or that particular professional interest. Professional talents are of inestimable value to the provision of manpower services, but the need of the whole community to be involved in what affects the whole community is of prior importance.

The delivery system in H.R. 19519 reflects the entire philosophy with which we have approached this legislation. That philosophy is based on the notion that the best way to learn what is needed in a local community in manpower services is to look to that community for its own insight and its own direction.

As Clemenceau said about war, so I say about manpower policy.

It is too important to be left to the experts.

Mr. PERKINS. Mr. Chairman, I yield an additional minute to the gentleman from Michigan.

Mr. FRASER. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Minnesota.

Mr. FRASER. I want to commend the gentleman for the initiative and leadership that he is providing on behalf of this bill, which I think is a most important piece of legislation. I have four questions that I want to ask the gentleman that relate to current programs I am concerned about. I want to make sure that they will continue to be authorized under this bill if this bill does become law.

For example, there are a number of activities including Senior Aides and Green Thumb programs which involve senior citizens in constructive and rewarding work. Some people are concerned, however, that under title III older people might be excluded from public service employment. I wonder if the distinguished gentleman would like to comment on that.

Mr. O'HARA. May I say to the gentleman from Minnesota that certainly is not our intention. We recognize that older citizens have an employment problem, and their problem is among the most severe of any group in the American society.

We want them to have the full range of opportunities available to them that are presently available to them—and more. Indeed, it is our hope that under this legislation we can do all the things we are now doing for the older workers and more besides.

Mr. FRASER. Mr. Chairman, I thank the gentleman. I have another question related to our own State of Minnesota. At the present time the State Highway Department in Minnesota has a subcontract with Project Green Thumb. This subcontract permits the utilization of State funds to employ senior citizens in a project which maintains interstate rest areas. Will the new program, as envisioned under public service employment, permit public agencies to subcontract with private organizations which in turn would employ retired persons who might otherwise not qualify for employment with these public agencies because of restrictions such as those of age?

Mr. O'HARA. There is certainly nothing in the legislation which would prohibit it. It is up to the State Highway Agency in this case to determine how they shall perform the public service functions under title III, if they have a title III agreement and they could involve an organization such as Green Thumb if they chose to do so.

Mr. FRASER. Another question relates to the problems of Indians, residents of depressed areas in inner cities, and older citizens. Under provisions of section 302, paragraphs (h) and (i) it appears as if the Federal share could be reduced if it

was found that the employer was not meeting his obligations to place qualified trainees into career employment. Possibly this could lead contractors to accepting for the programs only those individuals who have the best chance to make this transition to career employment, thus excluding trainees who might have additional handicaps in securing career employment.

Mr. O'HARA. Certainly it is our anticipation, and the reason we set no such rigid criteria in the legislation itself is that we expect these objectives to be flexible and to take into account the nature of the work and the problems involved in actual career placement.

In addition, we have an exception under the penalty for not meeting the objectives that permits the penalty to be waived if his failure is not the fault of the sponsor or is due to economic or other conditions beyond the control of the contractor.

Mr. FRASER. So it shall not be necessary to employ only those for whom it is felt there will be the best opportunity for transition to career employment. I thank the gentleman.

I have a final question: Is there any restriction on setting up part-time public service employment as is now operated in Senior Aides and Green Thumb?

Mr. O'HARA. None whatsoever. There could be a part-time public service program if that was the need of the community in the opinion of the sponsor.

Mr. FRASER. Mr. Chairman, I thank the gentleman for his very helpful comments.

Mr. DANIELS of New Jersey. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. SCHEUER).

Mr. SCHEUER. Mr. Chairman, I take this opportunity to congratulate the chairman of the committee and the chairman of the subcommittee and the ranking minority member of the committee for the work they have done on this legislation.

None of the provisions are more important than the public service employment program, which has been tested in the crucible of practical experience in our country during the past 4 years. The new careers program, which I sponsored as an amendment to the poverty program in 1966, has proven itself beyond all question of doubt as a program that offers hope, and independence and self-esteem to millions of unemployed and underemployed Americans who want to work in useful, satisfying jobs. Rather than criticizing this program, we should consider it one of the great elements in this bill.

I would like to ask the gentleman from Michigan a few questions in connection with the role of the aging in this program. I do not have any doubt as a general matter it is intended that the aged be included, but I would like to ask questions with specific reference to title I, section 101(a)(3) which mentions people in correctional institutions, and regarding section 101(a)(7) where young people are mentioned. I just would like reassurance that this does not mean the middle aged and the older workers should not be included and given equal priority under the title I programs.

Mr. O'HARA. That certainly is the case. There is no intention whatever to exclude them.

Mr. SCHEUER. I notice that you have incorporated into section 102 of title I the original new careers program and also the Mainstream program. I hope it is the intention of the committee that existing programs of this type will not be discontinued but rather that they will be reshaped and expanded.

Mr. O'HARA. If the gentleman will yield further, we hope that a new careers program—as with other programs permitted under the act, under this new legislation with new administrative provisions and delivery systems will be permitted to grow and flourish without some of the restrictions that have held it down in the past.

Mr. SCHEUER. In that connection, the language has been changed in the Mainstream title. Is this to imply it is in any way restricted to exclude any activities of senior citizens aides and "green lights" financed under this title?

Mr. O'HARA. No. It is our intention that anything which can presently be done can be done under the new legislation.

(Mr. ALEXANDER asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ALEXANDER. Mr. Chairman, after listening to this debate and upon conference with the gentleman from New York (Mr. SCHEUER) and the gentleman from Michigan (Mr. O'HARA) it is my understanding that the sponsors interpret the language of this bill to include representation of older citizens organizations and agencies serving the elderly on advisory and policy committees under this act. I trust that in this same spirit of inclusion that rural organizations are included in these committees. Therefore, I will conclude from all remarks that the sponsors intended that rural groups should be included.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana (Mr. DENNIS).

Mr. DENNIS. Mr. Chairman, if we could, and would, actually and honestly, devise a governmental program of efficient and effective manpower training, truly designed to be free of political boondoggling and extravagance, and tailored not to create make-work public jobs as a lasting burden on the taxpaying public, but rather to equip people with needed skills and to move them expeditiously into private and gainful employment, I would be sympathetic of such a program, and to such an effort.

Whether, and to what extent, this can actually be accomplished—in the nature of things—by means of a governmental program—is, to my mind, debatable; but it is not debatable, I think, that the present bill fails to do the job.

If H.R. 19519 were confined to the subject of manpower training, we would still have questions of possible political activity, the effect on existing vocational education programs, bureaucracy, extravagance, inefficiency, conflict of interest, and so on; but at least we would be coping with the problem of training and we would be presumably concerned only with preparation and education for gainful private employment. The game might be worth the candle.

Title III, however, in its present form, provides, in addition, for allegedly useful public employment—which will probably, in practice, all too often prove to be of a make-work character.

In this title, lipservice is given to the idea of moving those employed in this service on into private employment not supported by the act; but this expression of alleged policy is rendered largely negatory by provisions which grant to these allegedly temporary public employees all the fringe benefits of regular and permanent governmental employment, even including retirement; by vague provisions which set up no ascertainable standards for "the move of persons employed—into public or private employment not supported under this act;" and by provisions which allow the Secretary, in his untrammeled discretion, to waive any momentary penalty for the failure to accomplish this alleged objective.

Again the bill authorizes the Director of the Office of Economic Opportunity to make grants and contracts for evaluation of the programs conducted pursuant to the act, without setting forth any guidelines or restrictions with respect to contracting with former OEO employees; and this despite the recent widespread and unfavorable publicity concerning the conduct of the Office of Economic Opportunity in this very field.

All in all, it is my judgment that, instead of a sober-minded measure for manpower training, we are faced again with an expensive and political-minded measure which will create one more playhouse for the bureaucrats, and one more talking point for so-called liberal politicians, with a minimum of actual and practical benefit to the poor, and at a cost of billions of hard earned tax dollars, paid by the employed and productive members of the community.

People who are truly knowledgeable in this field, and who are generally more philosophically sympathetic to such experiments than I probably am, such as our distinguished colleague, the gentlewoman from Oregon (Mrs. GREEN) are not satisfied with this bill in the form in which it now appears.

I do not believe that I can conscientiously give this present measure my vote and my support.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan (Mr. HUTCHINSON).

Mr. HUTCHINSON. Mr. Chairman, title III of H.R. 19519 authorizes a program of public service employment. It envisions the temporary employment of the unemployed by governmental units, thus solving the unemployment problem. Persons employed under the program would be assured the same opportunity for promotion and would enjoy all of the fringe benefits of regular employees, in-

cluding retirement. The title hopefully intends that those so employed would be moved off the program and into regular employment, either in the private or governmental sectors of the economy. I do not believe many would ever be moved out of the program. They will not want to move and governmental employers will find it difficult to remove them. They will find themselves fixed for life. Though its proponents deny it, this title is clearly *within the* concept of Government as an employer of last report.

On page 12 of the committee report we read:

> It has been a widely held belief and the widely accepted basis for these programs that aggregate demand resulting in a steady growth of the economy by itself can "solve" the unemployment problem. This analysis leads to the current assertion that the present growing unemployment rate is "transitional." Unfortunately, the manpower programs of the 1960's have not reached and are not reaching a major segment of urban and rural poor. In many instances, the jobs have not materialized. People have been trained for jobs that do not exist. The private sector has not created sufficient jobs.

Therefore, the Government must create them. This is the philosophy of the Government as employer of last resort. I disagree with the committee's conclusion that the private sector is incapable of providing jobs. The private sector will always provide jobs for those with suitable skills. Our manpower programs are at fault for not developing the skills. The idea that the unemployment problem can be solved by placing on Government payrolls those who through lack of skill and job discipline are unable to obtain and hold a job in the private sector is not sound. Under such a program governmental units will be burdened with even more inefficiency and bungling.

The inclusion of title III in this bill makes it unacceptable to me, and if the programs title III authorize become the law, I predict that the outcry against Government inefficiency, waste, duplication, and low morale in the Government service will become even louder than it is today.

I will vote against the bill in its present form for that reason. I am also disturbed by the transfer of all vocational training programs to the Department of Labor. I believe they belong for the most part in the Department of Education.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield such time as he may consume to the gentleman from Kansas (Mr. SHRIVER).

Mr. SHRIVER. Mr. Chairman, I rise in support of H.R. 19519, the Comprehensive Manpower Act. This legislation is sorely needed in view of unemployment and underemployment which confronts many parts of the Nation today. It is regrettable that the House did not have an opportunity to work its will prior to the election recess. However, passage of this legislation at this time could represent one of the most important actions of this 91st Congress.

If implemented correctly, this legislation will be of great value in reducing unemployment and decreasing underemployment, giving aid and assistance to those who would like to move up in their own scale of productivity and their standard of living.

As a member of the appropriations subcommitte which deals with funding of our manpower training programs, I have long recognized the need for a major reform including decentralization and decategorization. While this may not be a perfect bill, it does meet the imperative need for manpower program reform.

Under the present system, we are dealing with an almost unmanageable collection of manpower programs. The Department of Labor, in fact, directly administers abut 10,000 separate manpower agreements with States, local governments, public and private organizations.

This has strained the ability of the Department to conduct these programs with maximum efficiency; created duplication and inefficiency; and frustrated the efforts of the individual at the local level to receive the help he so desperately needs.

Some of the necessary reforms in this bill would:

Decentralize administration of manpower programs to local communities and the States; provide flexible, noncategorical, funding for manpower programs so they may be planned in the community, by the community, to meet community needs; consolidate the major manpower development programs administered by the Labor Department in a comprehensive manpower services system; unify administration of manpower services by creating State or area single prime sponsors; and facilitate the use of the manpower program as an economic stabilizer.

Mr. Chairman, the consideration of manpower program reform is taking place at a time when there has been a substantial rise in the rate of unemployment. The transition from a wartime to a peacetime economy has caused what we hope will be only a temporary unemployment problem in the Air Capital of the Nation—Wichita, Kans., and other towns and cities over the Nation.

Clearly the present manpower program does not meet the needs of all workers who have been displaced during this period of economic transition.

This legislation attempts to meet a pressing need, in part, by streamlining and consolidating the administration of existing manpower programs—decentralizing decisionmaking on the appropriate mix of manpower services to the levels of Government closest to the area of unemployment, the city, the State, or the rural area.

In addition to the passage of H.R. 19519, I urge that prompt consideration be given by the House leadership to scheduling committee hearings on legislation that I have cosponsored providing for a cooperative effort between Government and industry to forestall further unemployment among those who have been engaged in defense-oriented research and development programs.

I refer to H.R. 19190, the Conversion Research and Education Act, which provides for a three-phase program to redirect the talents of skilled persons, such as engineers, scientists and technicians, to civilian areas of work.

We must not lose the capabilities of these skilled workers as we redirect our national priorities to such problems as the environment, transportation, health, education, and urban and rural development.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield myself 3 minutes.

As the debate begins to close, and we come to the point at which we start the 5-minute process of amending, I want to make it clear there are some statements which have been made here this afternoon with which I very much disagree.

I want to make sure that the members of the committee clearly understand that while the time this bill took in being drafted, in being put together, may appear to be a relatively short amount of time, I believe the record is replete with the history of the hearings and of the discussions which took place among members of the subcommittee and of the full committee before this final bill came to the full Committee on Education and Labor.

Surely, we did go late at night. We did put this together in an effort to try to reach a bill that could be supported by Members on both sides of the aisle and was agreeable to the administration.

That is what this bill does. It is supported by the Nixon administration, and it does represent a bipartisan compromise among people who have long held an interest in manpower legislation and programs.

I believe it also ought to be clear for those who say there is an effort to create a dual school system, that simply does not stand up under the light of examination. With all due respect to the gentlewoman from Oregon, I simply do not understand why she has gone as far as she has in attempting to make the statement that there was any kind of effort to create a dual school system.

We have a letter from the American Vocational Association, from Lowell Burkett, the executive director. I will quote from the letter:

> We commend the architects of this legislation for including the following provisions:
>
> a) Vocational educators shall serve on the Manpower Services Councils (sec. 104(b)).
>
> b) Prime sponsors must use to the extent appropriate the services and facilities of vocational and technical schools and area skill centers in carrying out the institutional training and educational components of a comprehensive manpower plan (see 105(b)(6)).
>
> c) Through the State comprehensive manpower plan the State must take additional steps to assure the participation of State-supported vocational education agencies in prime sponsors' programs in order to avoid unnecessary duplication of facilities and activities (See 107(b)(1–2)).
>
> d) Beyond regular program funds special incentive grants (up to $75 million in FY 72) will be made to State and local prime sponsors who develop exemplary linkages between manpower programs and vocational education (Sec. 504(d)).
>
> e) HEW and Labor must concur in *any* rules, regulations, standards of performance,

and guidelines which would affect the role and function of vocational education agencies (Sec. 108).

f) *Any* components of comprehensive manpower program applications which deal with vocational education in institutional training must be approved jointly by HEW and Labor (Sec. 108).

g) Within six months of the CMA's effective date, HEW and Labor must report to Congress on the utilization of area vocational and technical schools under CMA and the steps taken to increase their utilization and effectiveness (Sec. 525(a)).

h) At the same time, the U.S. Office of Education must report to Congress on the extent to which vocational education activities and goals are being incorporated into general elementary and secondary education programs (Sec. 525(b)).

In view of the apparent safeguards to that portion of the public being served under this legislation to assure that they have opportunities for an educational program that provides them upward mobility in career development, we believe this legislation will make a major contribution to resolving some of our Nation's social and economic problems.

Sincerely yours,

LOWELL A. BURKETT,
Executive Director.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield to me?

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield myself 2 additional minutes.

Mr. Chairman, before I yield, I want to quote further from another letter. This is from the Secretary of Health, Education, and Welfare, Elliot Richardson, dated November 13, 1970. He says:

I understand there has been some concern among the State advisory councils that this bill might create a "dual school system." I believe that this is without foundation.

Mrs. GREEN of Oregon. Would the gentleman yield to me?

Mr. STEIGER of Wisconsin. I am happy to yield to the gentlewoman.

Mrs. GREEN of Oregon. A correction of the RECORD, please. I believe my statement was that this bill for the first time would give mayors and community action agencies the authority to set up dual training systems. Would you not agree that this is the case under this bill?

Mr. STEIGER of Wisconsin. As I understand the legislation, the effort is to be made to insure that they use the existing ongoing training facilities in education or noneducational programs, and clearly no one intends and I do not think this bill proposes that there be a duplication of facilities and services available from that which already exists today.

Mrs. GREEN of Oregon. Under the advisory council various people serve, but they give the authority to the prime sponsor, who may be the mayor or, if the mayor does not want to do it, then the community action agency. Neither of these has ever had authority before to establish complete separate training programs, with no requirement to use the school system. If the gentleman from Wisconsin believes the mayors and the CAA's are to use existing training facilities, then the law should require it.

Mr. STEIGER of Wisconsin. They do not under this bill.

Mrs. GREEN of Oregon. It seems to me that we are making a remarkable change of direction in terms of the educational system in this country, because private and public institutions have always had primary responsibility for academic, vocational, and technical education. Vocational education training programs are expiring next year. So it seems to me we ought to look at those and decide if HEW and the Secretary of Labor are to share responsibility and funds before we make this radical change.

Mr. STEIGER of Wisconsin. I appreciate the gentlewoman's comment, but let me be completely honest about it. We have had a series of categorical grant programs since 1962 under MDTA and the Economic Opportunity Act. The number of sponsors at the present time exceeds 10,000. May I ask since 1962 who has been doing it? Has there been a mayor or even a school system that has? The answer is "no." There has been a whole series of public, private, and nonprofit and profit groups who have been involved in the training programs.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield myself 1 additional minute.

What we are doing here, I will say, is we are taking a significant step in the direction of correcting some of the problems that we had in the past to place responsibility on the elected public officials, as I believe it ought to be, who are responsive to the people in a local area and not engaging in an effort to create a duality of training systems. I disagree with the gentlewoman's analysis of the situation. I might also say there is not an expanded role for the community action agencies. It does not expand the role but, if anything, we bring the community action agency more into the mainstream of the agencies serving the public than they have been in the past under the concept that we have had in the past.

Mr. PERKINS. Mr. Chairman, I yield 3 minutes to the gentleman from Washington (Mr. MEEDS).

Mr. MEEDS. Mr. Chairman, I wish to address myself to two of the problems, one which was just discussed and one which has been discussed at various times this afternoon.

First, this legislation creates a public service employment section which to me seems to be a very good thing. It would seem to me that any meaningful manpower program which was adopted at this place and time in our history under the economic situation which we presently face and which did not have a public service employment sector, would be a farce. We have in this Congress adopted a lot of programs which have raised the aspirations of people and a good manpower program should do that. But there should be something to satisfy those aspirations.

Mr. Chairman, a good manpower program should train people for jobs, but jobs ought to be available. If they are not available and if we do train people, we really create frustration. Jobs simply are not available today.

Mr. Chairman, we very badly need in this legislation and in any meaningful manpower program a good public employment sector as an essential ingredient.

I would not like to see a manpower bill emerge from this Congress without a public service employment sector.

The second problem is that this might create a dual school system. I agree very much with the things that the gentleman from Wisconsin (Mr. STEIGER) has said.

First of all, we are faced with a plethora of programs today, none of which are required to be coordinated through local educational agencies as the gentlewoman from Oregon pointed out.

This bill then is a vast improvement on the existing situation.

Under this legislation we bring all of those programs together. We meet these requirements. We require that the vocational education people be represented on the board. We require that they use local educational facilities. We require a report from the Secretary of the Department of Health, Education, and Welfare and the Commissioner of Education with regard to the utilization of the vocational educational facilities and the cooperation and coordination and planning of the Federal institutions.

We provide an incentive for the prime sponsors to utilize local educational institutions and local educational facilities by giving them up to a 20-percent increase above what they otherwise would be entitled to if they will coordinate their plans and cooperate with the local vocational education institutions.

So, far from creating a dual school system, it seems to me that this brings under one roof and provides for certain requirements which do not presently exist, all of which will redound to the benefit of ongoing education. That is why I rather suspect that the American Vocational Education Association and the vocation educators are supporting this legislation.

Mr. PERKINS. Mr. Chairman, I yield the remaining 3 minutes on this side of the aisle to the gentleman from Arizona (Mr. UDALL).

Mr. UDALL. Mr. Chairman, I shall support this legislation, but I have serious misgiving about one feature of it. I would like to focus attention on this aspect of the bill.

In the Southwestern States of Texas, Arizona, California, New Mexico, and Colorado, there are 5 million Americans of Mexican descent, people many of whom are bilingual. They give our society much diversity and strength. These are good people who pay taxes, bear all the burdens of citizenship, and send their sons off to war in a much greater proportion than some other groups.

Mr. Chairman, in many respects, over the years we have shortchanged these fine people—in terms of fair employment, decent schools, and in other ways as well. They often get the less-skilled jobs, and the lower-paying work.

I commend the committee for its hard work to bring greater order and effective-

ness to Federal manpower training programs.

There is, however, one area which troubles me. In the Senate version of the bill, certain excellent programs currently underway are specifically authorized. One of these is Jobs for Progress—Operation SER.

I am familiar with SER. It has been my privilege to work closely with the organization and to witness the effective work it is doing to assist in the economic uplift of Spanish-speaking Americans and other disadvantaged groups.

Just last July we were able to obtain a $302,000 grant to fund a Tucson, Ariz., office of SER to provide vocational education and complete preemployment preparation for participants. We had been trying for 2 years to get SER into Tucson because we knew of its effective work in other communities.

"Ser," the Spanish verb for "to be," is used as an acronym for "service, employment, and redevelopment," and the organization is more than living up to its name.

SER is vital to the training efforts directed to the Spanish-surnamed and it serves other disadvantaged groups as well. We in Arizona are very concerned that failure to include SER in a categorical authorization might jeopardize an outstanding, well-run program.

I would like, then, to ask the sponsors of this legislation now before us for some assurances. I am sure the committee has taken a good look at the accomplishments of SER and respectfully ask the bill sponsors to make known their desires that proven programs such as SER will continue to play a vital role in federally supported training efforts. We who represent large groups of Spanish-surnamed Americans solicit assurances here today on behalf of a solid program which is giving real help and hope to many.

Mr. O'HARA. I thank the gentleman for his continuing and constructive interest in manpower programs, and in Operation SER. Let me give the gentleman what I might call a categorical assurance that Operation SER is completely and unequivocally authorized by section 102(a)(20) of the bill before us. The language of that provision gives unmistakable and clearcut authority for the continuation of the work being done by Operation SER among the Spanish-speaking communities. Operation SER, like the OIC's, is a program of which we can all be proud, and it can continue its splendid work under this bill.

Mr. UDALL. I thank the gentleman. Those of us who represent constituencies in this area are very concerned about this problem. Many of my colleagues from the Southwest have publicly expressed their concern over the failure to specifically mention SER in the bill and have spoken to me today. These include my colleague, the gentleman from Arizona (Mr. RHODES), the gentleman from California (Mr. BELL), the gentleman from California (Mr. VAN DEERLIN), the gentleman from California (Mr. HANNA), the gentleman from Texas (Mr. GONZALEZ), the gentleman from Texas (Mr. WHITE), the gentleman from Colorado (Mr. EVANS), the gentleman from Colorado (Mr. ROGERS), and they have all been here on the floor this afternoon because of this concern.

I would like to thank the gentleman from Michigan (Mr. O'HARA), for his assurances on this successful program. I trust it will be continued.

All of us from this area would have preferred that it be specifically spelled out as it was in the Senate bill, and perhaps that can be done in conference. I thank the gentleman for giving us some comfort assurance.

Mr. WHITE. Mr. Chairman, if the gentleman will yield, apparently then it was merely an omission in the report itself, which does mention other programs. It was the intent of the committee to mention SER in the report?

Mr. O'HARA. If the gentleman will yield further, it was, indeed.

Mr. WHITE. It is a very worthwhile program, and I want to associate myself with the remarks made by the gentleman from Arizona (Mr. UDALL).

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Mr. Chairman, I thank the gentleman for yielding.

As has been pointed out by the gentleman from Arizona, this program has worked effectively in the State of Colorado in taking care of the underprivileged who do not have the opportunity to secure employment. And I do hope that when we get to the conference that the word "SER" will remain in the bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BELL of California. Mr. Chairman I would like to associate myself with the remarks of my distinguished colleague from Arizona (Mr. UDALL) concerning the outstanding record of Project SER.

The SER program in my own congressional district merits highest recognition and commendation for its many fine accomplishments. There was certainly no intention by members of the Education and Labor Committee to exclude mention of SER from the pending bill, and I am sure that the oversight will be corrected when this legislation goes to conference.

Mr. VAN DEERLIN. Mr. Chairman, I am pleased to rise in support of H.R. 19519. The Committee on Education and Labor, under the able leadership of Chairman PERKINS, has presented the House with a bill that substantially reforms and expands existing Federal manpower programs. While I fully support this legislation, I am concerned about the omission of any specific reference to the Operation "Service-Employment-Redevelopment" program of job training and placement for Mexican-Americans.

Operation SER has proven highly successful in my own San Diego area as well as many other locales throughout the Southwest. SER is unique, I believe, in that it is the only jobs program in the Labor Department run by and for Chicanos.

I strongly support the concept of a separate program tailored to the needs of the Spanish-speaking community. The cultural and linguistic barriers blocking advancement through other channels can be effectively overcome only by this kind of specialized treatment.

SER has been in business nationally for barely 4 years and in San Diego County only since July 1968. But in that short span of time, the results have been gratifying. By the end of this year, nearly 500 Mexican-Americans in the San Diego area will have been equipped by SER to win and hold good jobs. I am told by Max Hernandez, the SER project director in San Diego, that 87 percent of the graduated trainees were still in their original jobs 6 months after taking them, a remarkable retention rate.

This year alone, SER in San Diego will prepare 230 persons for gainful employment, compared with 180 who completed the program last year. For enrollees with the greatest linguistic and educational handicaps, SER operates special prevocational courses, to provide the basis for more advanced job training. Federal funding, which hopefully will be continued by H.R. 19519, has been approaching $300,000 a year for the San Diego SER.

I understand there is no intent on the part of the Committee on Education and Labor to omit Operation SER from the manpower programs authorized by H.R. 19519.

I join Mr. UDALL and other colleagues in speaking out for Operation SER today simply so that the RECORD will show that the House—far from overlooking SER—feels that this most valuable program should be continued and if possible expanded.

Mr. PELLY. Mr. Chairman, unemployment in the area around Seattle presently exceeds 11 percent. There are many reasons for this, but primarily the blame can be placed on the national tight-money condition and cutbacks in defense spending by the Federal Government.

President Nixon has reported to Congress that our economy has halted its decline and is stabilizing which certainly is rewarding news. However, what the Seattle area needs is prompt local action to reverse its unemployment statistics which are double the national rate.

Much of this help must come from Congress, and it is for this reason that I urge support of H.R. 19519, the Comprehensive Manpower Act. This bill would consolidate most of the major Federal manpower programs in operation today and provide for their coordination of the other programs which are maintained under separate statutory authority.

This is a new approach, offering a fresh avenue to a solution of our problems in this regard. Rather than prescribing at the national level, we would develop a specific, uniform combination of services which would be provided locally, principally through agreements with Governors and mayors of larger cities acting as "prime sponsors" to provide a comprehensive delivery system for manpower services.

The Governor of the State of Washington has two changes he would like to have made, and I hope we can accom-

plish them. But, in the overall, H.R. 19519 is an important reform and improvement of our manpower programs, and it is drastically needed in areas such as the one I serve to help remedy unemployment.

Mr. HAMMERSCHMIDT. Mr. Chairman, demonstrating my support of the public service employment title of the Comprehensive Manpower Act—H.R. 19519—I wish to commend publicly the achievements in Arkansas of green thumb and green light.

Public service employment can be channeled effectively and efficiently. Older women and men, given the opportunity, have been responsible for much beautification and improvement of communities in which they live. Through various projects, they have made real contributions. At the same time they use their own talents on such significant jobs as the development of parks and overlooks, the rebuilding of bridges and roads, and so forth. These men and women range in age from 55 to 94.

Green thumbers have renovated the boys' club centers of both Garland and Johnson Counties. In the process they have earned the respect and friendship of the youth they help. Green light workers have helped the needy to help themselves while performing much needed services within their communities.

I include the following articles in the CONGRESSIONAL RECORD so that my colleagues may know of their accomplishments:

[From Life magazine, Oct. 16, 1970]

MUSCLING OUT OF RETIREMENT

If America has a lost generation today it is surely that group we euphemistically term "senior citizens" and doom to poverty and boredom. Old farmers are especially afflicted: few have much money (they did not even come under Social Security until the 1950s), and their lifetimes of hard physical labor were habit-forming. Thus news of the success of a program aimed at helping such men comes as a happy exception to the general geriatric gloom. For retired farmers in 17 states, the answer has proved to be Green Thumb. Funded by the federal government and administered by the National Farmers Union, the project got under way in 1966 and now employs some 3,000 men. Their ages average 69—the oldest is 94—yet they put in a solid eight-hour day three days a week on useful projects that range from grass and tree planting to cleaning out lakes and building picnic tables and fireplaces. Their pay is a modest $1.60 an hour, but for most of them what counts is the opportunity to work. One man, retired for several years and feeling poorly, joined Green Thumb and has now helped build two dozen new parks. Now that he's 78 and feeling fine, he's thinking about getting married.

[From the Glenwood Herald, June 11, 1970]

GREEN LIGHT PROGRAM HELPS THE NEEDY HELP THEMSELVES AND OTHERS, TOO

(By Ray Ross)

If there were some way the needy could be helped by employment instead of outright charity, and at the same time, they could contribute to the social, economic and cultural betterment of the community, surely this means should be put into use.

The experimental Green Light program, which is employing seven women at Norman, may be just such a plan. The needy are helped, and in the process they help others who are in need, because they are paid by the hour to help others, and their pay makes them independent and self-supporting.

In Norman, at least, the federally financed program which is sponsored in this state by the Arkansas Farmer's Union, is contributing to better meals and more sanitary cafeteria facilities for the public schools.

"The school district just couldn't afford the help we needed in the school lunchroom, and the Green Light program has helped keep the school lunch plan operating," said David Scott, superintendent of Norman School District.

The seven ladies who are participating in the experiment also lauded the Green Light program.

"Before we hired these women to help, we didn't have time to clean up the tables between the time the elementary school children finished and the high school children came into the lunchroom," said Mrs. Willie Dee Carpenter, cook who is in charge of the lunch room and of the women who work there.

"Since we've had enough help to keep the tables clean, there's been a b'g increase in the number of high school students who are getting hot lunches."

Prior to the beginning of the Green Light program, only 75 high school students were coming to the lunchroom regularly, Mrs. Carpenter said. After the program got going, 90 high school students regularly get hot lunches. This is from an enrollment of 130 students, she said.

"Not only is the lunchroom and the kitchen kept cleaner, but because we have enough help, we can take more time to prepare the food and make it better and tastier," Mrs. Carpenter said.

Her helpers agree.

Mrs. Kathleene Hamner was the first to be employed under the Green Light program. She now is a regular cook's helper. Next were Mrs. Ruth Foshee. As evidence of the plan's success grew, so did the number of women who were employed. Third to be employed were Mrs. Florence Ogle and Mrs. Media Hamilton. Fourth were Mrs. Pearl Gaston and Mrs. Fannie Carter.

Basic requirements for employment are that the women must be at least 55 years old, they must need financial assistance, and they must be able-bodied. They have to pass rigid health examinations for instance, in order to work in the school kitchens and lunchrooms.

The ladies are paid at the rate of $1.60 an hour, and may not work more than 24 hours a week. Even so, they do not spend that much time in the school lunchroom, even when school is in regular session. They also work for others who need help.

"I split kindling for one old woman who couldn't get outside during last winter's cold weather," Mrs. Hamner said.

"I scrubbed the floor and washed dishes for one of my neighbors who was sick and couldn't afford to hire it done," said Ruth Foshee.

"I cleaned the cookstove and refrigerator for an old man who didn't know how to do these things," said Mrs. Hamilton.

The other ladies also told how they helped with cooking, sewing, cleaning and other household work when neighbors became in need of these services. They apparently can go wherever needed, and are not restricted to their own communities.

Maybe, because of their own needs, they understand the need of others.

Mrs. Gaston and Mrs. Carter are prime examples. Both were widowed within recent years.

"I was too old to get a job, and I was lonely," said Mrs. Carter. "I needed something to do, and I also need the money. This makes me get out and see people, and besides, I like children."

Mrs. Gaston put it another way.

"It helps me meet people with confidence," she says. "I was too old and too inexperienced to find any kind of regular job. I have neighbors on either side who now call me when they need me. It helps me spiritually, as well."

Mrs. Ogle and Mrs. Hamilton have different problems. Their husbands are retired and disabled.

"It helps me keep up my spirits," Mrs. Ogle said. "We are paying our way."

Mrs. Hamilton told about her recent major surgery.

"Because I was working on the Green Light, the state paid my hospital bill," she said. This saved her from financial disaster, and prevented the necessity of welfare.

Mrs. Carpenter speaks glowingly of the ladies who have been selected to work with her.

"I've never worked with a nicer group of women, and they all get along well together and do their work well.

"I guess they know we all need each other," she said.

Superintendent Scott hopes the plan will continue. He applied for the program as soon as it became available, working with Glen McCalman, field representative, and Lewis Johnson Jr., McCalman's superior.

"Norman has seven of the 42 Green Light ladies in Arkansas," Scott said.

"I don't know if the program will continue, but its counterpart for men, the Green Thumb program, appears to be permanent.

"But if the Green Light has worked as well in other parts of Arkansas as it has in Norman, then it surely should continue," he said.

"We hope it does," Mrs. Carpenter says.

"We need the Green Light here."

[From the Hot Springs New Era, Aug. 27, 1970]

GREEN THUMB MEMBERS GIVING NEW FACE TO CITY'S BOYS' CLUB

The Hot Springs Boys' Club is getting a face lift this summer, and getting it much cheaper than could normally be done.

A group of retired men, able to work and tired of sitting back and trying to live on social security, are doing most of the work.

This is done through Green Thumb.

The Green Thumb organization specializes in finding projects and jobs for elderly persons.

Bob Kissire, manager of the Boys Club, says he is more than satisfied with the work of the Green Thumb members. Kissire said they had saved the Boys' Club about $3,500 on the project.

"It would normally have cost about $6,500 or more, but since the men are paid through the Green Thumb oragnization, all we had to do was furnish the materials, which has amounted to about $3,000 so far," Kissire said.

"We hope that as the public becomes aware of the work of the Green Thumb Organization here they will offer more support," Kissire said. "We hope to keep them long enough to build four ball fields that we desperately need, and also get the outside of the building painted."

Dispite wrinkles and other signs of aging, the men are able in their work. The average ages are from 65 to 83, but it doesn't show as they scamper up and down the ladders and scaffolds.

So far, the crew of seven men has built a new incinerator, painted the gym, put new ceilings in four rooms, painted all of the rooms, plastered some of the walls, decked 200 feet of storage area and cleaned the flower bed.

The men started the work on the Boys' Club about four months ago. They work three days a week.

They must pass a physical and be retired to qualify for the organization.

The men on the Boys Club project are from Hot Springs.

Mr. BROOMFIELD. Mr. Chairman, in the sixties we appropriated huge sums for countless programs in the areas of housing, welfare, pollution and job training. We were beginners then: admittedly, some of our plans were poorly devised and poorly received. These have been discarded. Others, however, floundered not because of their content, but rather, because they were badly administered or unevenly distributed. We could not know then that this would happen; we had to learn from experience.

Now, in this new decade, we know which programs we can rely upon. Our problem is to guarantee that they work properly: that they are efficiently administered and fairly distributed. This is no easy task, but I believe the Comprehensive Manpower Act is proof that it can be done.

Job training measures adopted since 1961 have met with only limited success for a number of reasons. First among these must be the categorical nature of most manpower assistance. Funds have been authorized for narrowly defined purposes with little flexibility to adjust to changing local conditions or to the individual worker's needs. Too often we have tied the hands of those who deliver manpower assistance by specifying too strictly the measures they can take.

A second and related problem is the inability of the Federal bureaucracy to meet individual State and local needs. Their approach has been increasingly heavy-handed, distributing funds as though job needs were shared by city and suburb or by the South and the North, when, in most cases, they are widely varying.

In this same vein, we must criticize the wide range of authority in the Federal administration of job training programs. So many different agencies are involved in the process that it is virtually impossible for the left hand to know what the right hand is doing. When we recognize further that so many of the programs naturally overlap, it is not difficult to understand the confusion and duplication of effort that characterizes our general approach in the area of manpower.

Finally, job training assistance has justifiably concentrated on the needs of the hard-core unemployed or the poor. It is time now that we offer help to the unemployed former worker as well. This is the man whose original skills qualified him for our labor force, but who has since been laid off by general economic trends or the incredible advances of technology.

These then are the four major problems with which we are faced. Their solution depends on the success of a series of steps proposed in the Comprehensive Manpower Act. Quickly, they call for consolidating the major programs administered by the Federal Government, providing services to meet the individual needs of our workers, decentralizing the delivery of job programs to State and local governments, and non-categorical, flexible funding for such programs so that they may be planned in the community, by the community to meet community needs.

Let us look at the bill in greater detail. Title I makes the Secretary of Labor the sole Federal agent responsible for the delivery of manpower services. The Federal bureaucracy can no longer, therefore, quibble over jurisdictions or duplicate each other's efforts. The authority is fairly and comprehensively placed in one department, not a slew of minor agencies.

But title I also provides that the Secretary must act principally through agreements with Governors and mayors of the larger cities, who, in the language of the bill, act as "prime sponsors" of job training in their areas of influence. This is, of course, designed to eliminate what I earlier described as the "heavy-handed" approach to the problem: each geographic unit, whether State or city, would receive the help it particularly needs. And the same would apply for the individual worker.

This concept is further advanced by the fact that a large number of programs with different targets are available under the title, thereby guaranteeing the Governor or mayor a complete system to select from. It is clear that decentralization alone would not have been enough. Indeed, if there were but one or two programs to choose from, there would be no need for decisions by the local community. The committee, therefore, provided that funding for manpower programs be flexible enough to be applied to any situation by the State or local official, whether it be the case of an individual worker recently unemployed or an entire city beset by an influx of hard-core underemployed. Even then the ultimate control still resides with the Secretary of Labor, who must insure that the local or State unit is meeting its commitments as promised. What title I gives us is a centralized Federal role at the top, a larger role for State and community officials in the actual administration of training assistance, and a more flexible system of assistance for them to select from. In this way, the bill would meet the widely varying situations around the country and the widely different needs of individual employees.

Title II establishes a new program to upgrade the skills of already employed workers. It too would be dispensed within the process described in title I. States and communities would receive 90 percent Federal funding to be matched by 10 percent nonfederal shares. The point of this proposal is to help workers bypassed by advances in technology to again become productive.

In title III the committee offers a public service employment plan, which would create jobs in the public sector for unemployed persons and, in this way, permit State and local governments to provide services that have too long been ignored. In periods of economic slowdown this measure will prove essential to meet the needs of jobless workers. Employment would be offered in fields such as education, recreation, public health and sanitation, and law enforcement. This would complete the truly comprehensive manpower system we have demanded for so long.

Finally, in title IV the Secretary of Labor is authorized to conduct research studies and pilot projects in the job training area. He is instructed further to develop an expanded national computerized job bank to provide systematic labor market information. This last step is, I feel, long overdue.

Mr. Chairman, in September of 1970 the unemployment rate stood at 5.5 percent with more than 4.3 million workers seeking employment unsuccessfully. It should be clear that our present manpower programs do not meet the needs of all workers in times of economic downturn. This bill will meet those needs by opening up new areas of employment in the public sector and by streamlining, consolidating, and decentralizing the all-important administration of job training programs.

Mr. MINISH. Mr. Chairman, I rise in support of H.R. 19519, the Comprehensive Manpower Act of 1970. This measure has the laudable goal of assuring the opportunity for employment to every American seeking work. It would make available the education and training needed to qualify a person for employment consistent with his highest potential and capability.

The legislation restructures present manpower programs to authorize a truly flexible and comprehensive array of manpower services. The Secretary of Labor is called upon to deliver these services through sponsors who may be States, cities of 100,000 population or more, combinations of local governments adding up to more than 100,000, or smaller governmental units with high out migration and high unemployment. In order to insure that the program operates as closely as possible to actual unemployment and underemployment problems, a local government's application for sponsorship would take precedence over that of a State.

Trainees who do participate in various programs, such as Neighborhood Youth Corps, Operation Mainstream, New Careers, MDTA, and so forth, are assured proper working conditions, workmen's compensation, and training allowances at least equal to the minimum wage.

The bill also establishes a new program to upgrade the occupational status of underemployed workers. This section would would allow both public and private employers to apply for Federal assistance for job improvement programs for their employees. In this manner, lower paid workers will receive the opportunity to prepare themselves for higher paying jobs with greater responsibility.

Under title III of the bill, a new public service employment program is created. The Secretary of Labor, under this program, could make agreements with any public agency to employ unemployed or underemployed persons in public service occupations in fields such as education, health, conservation, rural development, recreation, public safety, neighborhood improvement, maintenance of public facilities, and mass transportation. This title contains a prohibition against such

agreements if they will result in displacing present employees.

Mr. Chairman, passage of the Comprehensive Manpower Act is particularly vital in view of the present economic slowdown and high unemployment. We have witnessed a substantial rise in unemployment in recent months with the October 1970 rate standing at 56 percent and representing more than 4.3 million jobless workers. The bill before us is a worthwhile attempt to meet this critical situation and I urge its approval.

Mr. TIERNAN. Mr. Chairman, I am extremely pleased to rise in support of the Comprehensive Manpower Act of 1970, H.R. 19519.

One decade ago we realized the need for a national manpower policy aimed at alleviating the plight of the disadvantaged, the hard-core unemployed, and the poor. Technological change required that the opportunity for employment be provided for every American seeking work. This purpose was carried out through education and training programs to qualify persons for employment consistent with his highest potential and capability.

But problems arose which have made it almost impossible to administer a comprehensive and effective manpower program. These problems include duplication and overcentralization, multiple funding sources, disparate administrative systems, and incompatible program standards. The necessary Federal-State-local partnership needed for an effective program is missing.

In this day of highly technical skills and underemployment, the need for an effective manpower training program is evident. And so today we consider a bill which would continue to help the hard-core unemployed or the disadvantaged, as well as those who are presently working far below their full potential and those who, although not now working, have been in and out of the labor force.

H.R. 19519 is aimed at coordinating the myriad, separately conceived, overlapping manpower programs. This legislation will decentralize the administration of these programs, provide flexible funding, consolidate the major development programs, provide an equitable distribution of resources, provide for a National Computerized Job Bank, and facilitate the use of the manpower program as an economic stabilizer. This legislation is long overdue and I urge all of my colleagues to support it.

Mr. ANDERSON of California. Mr. Chairman, I rise in support of H.R. 19519, the Comprehensive Manpower Act. This act represents a departure from the approach we have used in the past in dealing with our employment and job training programs.

PRIME SPONSORS

Under title I, a new system is created whereby State and local government agencies act as "prime sponsors" of manpower programs. Any city, county, or group of cities with a population of at least 100,000 may apply to become a "prime sponsor." All prime sponsors must appoint a manpower services council, including representation from community action agencies, the State employment service, education agencies, welfare agencies, social service programs, business, labor and veterans groups. The Federal Government will finance professional staff, planning and administrative expenses for these local manpower councils.

Under this act, the prime sponsor has the responsibility for administering the manpower programs in its area. Thus, the various programs and organizations—currently numbering over 10,000—will be consolidated under the direction of an estimated 300 to 350 prime sponsors.

OCCUPATIONAL UPGRADING

Title II instructs the Secretary of Labor to assist private and public employers in meeting the costs—up to 90 percent—of providing their employees with the education and skills needed to qualify for better jobs. Under this section, an employer can apply for Federal funds to aid him in training his employees for advancement. Thus, new employment opportunities will result at the entry level.

PUBLIC SERVICE EMPLOYMENT

Of particular interest to local governments, which may be understaffed due to a lack of funds, is title III. This section allows prime sponsors and other public agencies to apply to the Secretary of Labor for financial assistance in amounts up to 80 percent of the costs of hiring people to work in public service jobs. Opportunities may be available in such public service areas as education, health, housing, mass transportation, conservation and environmental protection and, if an agency cannot afford to hire such personnel, it may obtain Federal funds to assist them.

EXPANDED JOB OPPORTUNITIES

Mr. Chairman, several programs that have proven successful must be not only continued, but expanded. Neighborhood Youth Corps, Operation Mainstream, and Opportunities Industrialization Centers, and other organizations have provided effective services to individuals and communities and they are meeting the needs of many of our citizens. To reach the Mexican-American community, we in the West are fortunate to have such organizations as Operation SER—also known as Jobs for Progress—and the Mexican-American Opportunities Foundation.

The objectives of SER are to broaden employment opportunities; to provide programs of job placement and training; to devise techniques and methods of reaching, stimulating, and involving the communities in solutions of their problems; to provide guidance and assistance in establishing local programs of basic education, vocational education, and other related subjects; to assist the states in personnel recruitment; and to aid in the relocation of disadvantaged persons wishing to move where jobs are more plentiful.

Operation SER has been unusually successful in meeting the employment needs of the Mexican-American community and I feel that its role must be continued in order to help people who are determined to help themselves.

The Mexican-American Opportunities Foundation is also operating successfully in job-training and bilingual education programs. Their efforts have given hope to disadvantaged Mexican-Americans, and they have improved the quality of life for thousands through job-placement and training.

I am confident that these programs will continue to aid the unemployed and underemployed by improving their skills and talents so that they will find meaningful employment in the labor force.

REORDERING OF PRIORITIES

An area which I feel is extremely important, especially to those of us from California, is the plight of those who have been laid-off due to cutbacks in defense and space contracts. We must put these industries back on their feet by encouraging them and by providing incentives to redirect a portion of their resources and technology toward the commercial market.

While maintaining a defense posture second to none, we must ease the transition of men and resources to civilian-oriented activities. The tremendous resource of personnel with experience and knowledge must be channeled into fields which will improve the quality of life for all of our citizens. Housing, pollution control, and mass transportation are but a few of the fields that our scientific and technical community can enter.

I was pleased to co-author the Conversion Research and Education Act of 1970 which aims at helping the aerospace and defense industries convert a part of its resources and talent from defense-related activities to the commercial market. This bill, while establishing programs of retraining and education, also directs the Small Business Administration to assist small business firms in achieving conversion by providing technical grants, loan guarantees, and interest assistance payments.

While I feel that the Comprehensive Manpower Act, H.R. 19519, is a progressive measure, I feel that in the coming months we must enact legislation aiding the industries which have contributed so much to our national defense, and in our conquest of space, to convert a part of their talents to commercial enterprises.

Mr. HATHAWAY. Mr. Chairman, I wish to support the provisions of H.R. 19519 and call attention to the desperate need of the older person for training and employment under this bill.

Senior citizens have been constantly underrepresented in manpower programs with resulting increases in unemployment for that age group. For instance, unemployment for persons 55 to 64 rose an alarming 90 percent from January 1969 to September 1970.

Apart from meeting the economic needs of senior citizens, the senior community service project operated by the National Council on Aging, has insured the personal dignity of older persons in Maine. For instance, 19 aides were assigned to community action agencies in so-called hunger counties where they assisted in certifying approximately 38,000 people for surplus foods in areas where there had been no similar programs.

As indicated, the Maine senior community service project has demonstrated that employment and productive activity can be a major source of positive health for many older persons.

In a period of expanded need for community services, the experience and skills of older workers can be effectively utilized as demonstrated through the successful efforts of older persons employed as aides in the Maine senior community service project.

Mr. COHELAN. Mr. Chairman, I rise in strong support of H.R. 19519, the Comprehensive Manpower Act. I am an original cosponsor of H.R. 11620, a similar manpower measure. Many of the provisions of my original bill are incorporated in the legislation that this Chamber is considering today.

This bill, the Comprehensive Manpower Act of 1970, represents a major advance over the existing approaches in manpower programs. Let me briefly summarize the provisions of this bill:

In title I there is the consolidation of manpower programs; specifically those under the Manpower Development and Training Act and title I of the Economic Opportunity Act. This streamlined approach to manpower training will be under the Secretary of Labor. The Secretary can provide these services through local prime sponsors; that is, State officials, city officials of cities having a population of 100,000 or more, and officials representing a combination of cities of 100,000, and so forth. It is to be noted that the local area applications take precedence over those of the State. This could be a distinct advantage—having the program administered at the local level with oversight at the Federal level. This increased flexibility of delivery will hopefully assure a better end product.

It is to be noted that the conditions of employment of the trainees are protected. There is a specific provision for proper working conditions, workmen's compensation, and training allowances that approach the minimum wage.

In title II of this legislation there is a specific provision for occupational upgrading. This feature of this bill is a definite addition to existing manpower programs. There is nothing more frustrating than a worker being locked into a position without possibilities for advancement. I am hopeful that this legislation will make upward mobility a reality for the many workers who have the motivation to advance but no opportunity for continued training.

Mr. Chairman, in an economy that has a 5.6-percent unemployment rate, it would be unreasonable to place all our efforts on job training for nonexistent jobs. Yet even with a high unemployment rate, many vital tasks are not being completed in areas such as education, health, environment, neighborhood improvement, and mass transportation. These areas need qualified personnel but there remains a lack of funds for such programs. Title III of this bill attempts to provide personnel for jobs in such areas that I have mentioned as well as provide training so that employees can upgrade their skills. This public service employment provision holds great potential for the future.

Since there is no universally applicable method for job training but this bill encourages new directions and innovative planning. For example, in title I there is a provision for increased local control of programs, subject to Federal review: Title IV provides for continual research and development in manpower programs and for the centralization of labor supply and demand information.

Mr. Chairman, I urge my colleagues to adopt this far-reaching legislation today.

Mr. PRICE of Illinois. Mr. Chairman, as a cosponsor of this legislation, I am very concerned with the manpower policy now in existence. The existing policy in the United States can best be described as confused. The manpower programs now in effect, although well intended, overlap and yet have left gaps. This has led to gross inefficiency, and wasted funds. Funds of those programs have been pigeonholed, thus preventing individual communities from adapting the programs to their individual needs. Finally, there has been poor coordination between State, local, and Federal administrators.

The purpose of this act is to provide a comprehensive manpower program instead of a splintered one. It will reach more than the disadvantaged. It will provide an opportunity to any and all persons for the further education and training that is needed for the employment that best suits their talents.

In order to accomplish this purpose, decentralized administration is essential. This act provides for the services to be administered on State and local levels. This will result in a program that is nationwide yet highly individualized. It will be able to respond to the particular needs of a community, yet will be centralized enough to prevent an overlapping of services in an area.

This legislation also provides for flexible funding. Again, this will permit the specialized administration that is requisite to any effective large-scale program. Every community has different resources and different demands. It follows, therefore, that each community also requires different remedies.

For the economic potential of the United States to be met, the economic potential of each individual must be met. Every person must have the opportunitty to fulfill his potential. Otherwise, the United States is a loser, too.

This bill provides the comprehensive reform that is needed now. Training opportunities will be made available to all who require them. The system of delivery of manpower services has been improved and noncategorical funding has been provided for.

It is a goal of the Government to provide an opportunity for employment for anyone seeking work. This legislation will help to meet this goal in the most expedient way.

Mr. RAILSBACK. Mr. Chairman, manpower training programs since 1961 have multiplied and proliferated rather haphazardly. No longer are they limited to providing job skills for only the "hard core" unemployed and disadvantaged. Now there are programs to help servicemen reenter civilian life, programs to keep teenagers in school, programs to rehabilitate ex-convicts, programs to retrain workers displaced by technological change and programs to help the semi-skilled get better paying jobs. Still, it is clear that not all Americans seeking employment can find suitable jobs.

The manpower training bill represents a multi-pronged administrative attack upon employment and the rigidity, inefficiency, duplication and lack of coordination among the different manpower training programs. By transferring major administrative responsibility from the Federal Government to State and local authorities, funds should reach local communities more quickly and efficiently.

Title I of the bill consolidates local manpower training programs into a single comprehensive program. Program sponsorship becomes a function of State and local governments instead of the Federal Government. The effect of this provision is twofold: it creates a more effective local delivery system and makes funding criteria more flexible.

That there is a shortage of entry-level employment opportunities in private business and industry has long been recognized. By encouraging employers to retrain workers for advancement to more responsible and better paying jobs, title II will increase the number of entry-level positions available for unemployed and underemployed workers.

Additional job opportunities will be created through the Public Employment Service. PSE jobs are not "make work" jobs but jobs which will begin to fulfill unfilled public needs in health, recreation, public safety, street and park maintenance, rural development, beautification, conservation and transportation. Municipalities estimate that there are at least 140,000 jobs now in education, health, police, fire and sanitation departments which can be filled by people without technical or professional training.

Many of these essential services are not provided by municipalities and public institutions at the present time simply because they lack revenues to meet an expanded payroll. Under the Public Employment Service provision, the Federal Government will pay up to 80 percent of the costs of providing such services. Local communities pay the remainder. In order to qualify for Federal support, however, jobs must be demonstrably justifiable on their own merits, irrespective of employment statistics.

Employment in public service jobs will help the chronically unemployed acquire the work habits and occupational skills needed for subsequent work with private employers and provide temporary relief for workers laid off from other jobs.

Finally, the bill authorizes the Secretary of Labor to develop a computerized job bank for identifying and matching manpower needs and manpower resources at the local, State and Federal level. The purpose of the job bank is to expedite the referral of qualified job applicants to suitable employment opportunities. Although job bank data will be available to both public and private employers, the bank is not intended to displace private employment agencies. Its primary purpose is to get more people off the welfare rolls and onto payrolls.

In short then, the House bill will not only coordinate existing manpower

training programs and correct many administrative deficiencies but also help to reduce unemployment. Therefore, I urge my colleagues to support H.R. 19519.

Mr. WHALEN. Mr. Chairman, the passage of the Comprehensive Manpower Act, H.R. 19519, will enable the community service program for senior citizens, such as the one I am familiar with in Dayton, Ohio, to continue and perhaps expand to incorporate even a wider range of services for the community. The Senior Citizens Center of the Greater Dayton Area operates the Senior AIDES Program for the National Council of Senior Citizens and the Department of Labor.

This program, begun in March 1969, employs 62 of the elderly poor in 12 different community service agencies. These senior aides are performing a broad range of tasks—from homemaker and hospital aides to teacher and infant care aides—necessary to community life. For example, they assist technical and professional personnel in caring for the too-often forgotten members of the Dayton community—the mentally retarded at the Montgomery County Board of Retardation, the underprivileged at the West Dayton Self-Help Center, the lonely at the Dayton State Hospital, and the preschool children of working mothers.

Earning approximately $2.15 an hour and working far more than the 20 hours for which they are paid, the aides have been able to help themselves as well as others.

Mr. Chairman, Dayton has demonstrated a great need for the services currently being extended to the community by the senior aides. Scores of other communities similar to Dayton have requested senior aides help. The needs will be partially filled by the provisions of this legislation.

Mr. ZABLOCKI. Mr. Chairman, I urge the continuance and expansion of the community service employment programs for senior citizens in H.R. 19519, the Comprehensive Manpower Act. These employment programs for low-income elderly are an integral part of our communities. For example, in my home district of Milwaukee, Wis., Project Involve is the agency that sponsors the National Council of Senior Citizens senior aides program.

Employed by the program are 60 senior aides in outreach efforts which seek out elderly poor in desperate need of help and guidance. Project Involve is part of the inner city development project of the Community Relations-Social Development Commission in Milwaukee County. As a result of having the senior aides project in Milwaukee, other community programs have been greatly enhanced—such as the recently OEO-funded senior opportunity services project.

Part of the senior aides outreach work involves calling on those in need of assistance in areas ranging from welfare, medical care, food stamps or emergency food to basic homemaker assistance, and legal assistance. Frequently, these aides simply help to ease the loneliness of those who live alone. Occasionally the welfare department utilize the senior aides in making visits in cases determining need and assistance.

Senior aides reach out with ready hands of help in many directions. In 1 month's time, for instance, senior aides contacted over 1,220 elderly citizens with followup services to more than 1,050 elderly poor. These senior aides, with a variety of educational and employment backgrounds, have each developed distinctive service skills or benefit to the elderly. The fact that they themselves are older is an important quality in the aides, as they have more rapport with the elderly poor in the understanding of their problems.

It is vitally important to the elderly poor of Milwaukee that the senior aides project, and the operational scope of Project Involve, be continued and expanded. This program's contribution has had a dramatic impact on the important work of identifying and responding to the needs of the elderly community. We cannot forget these people who have been the backbone of our society for so many years and who deserve to live their lives with meaning and dignity.

Mrs. DWYER. Mr. Chairman, presently over 20 different manpower programs exist which are in desperate need of coordination and reorganization. In recent years, this need has become even more apparent, and we have become increasingly aware of the definite need to achieve a comprehensive manpower policy. I am convinced the legislation we have before us today—the Comprehensive Manpower Act—will serve our purpose.

This bipartisan compromise was reported from the House Education and Labor Committee only last month. Very briefly, it will provide employment opportunities to every American seeking work and the education and training necessary for the attainment of that individual's highest potential.

In view of the fact that the seasonally adjusted unemployment rate for October was 5.6 percent, for September 5.5 percent, for August 5.1 percent, and for July 5 percent, the Congress must move swiftly to curb this spiraling condition. I am, therefore, pleased the full House membership has the opportunity to review the bill H.R. 19519, and I take this time to urge the support of my colleagues.

As we are all aware, far too often the State and local bodies are unable to bring their expertise to a problem which the Federal Government deems necessary to eliminate. However, the Comprehensive Manpower Act capitalizes upon the resources of these bodies. The bill is flexible, noncategorical and, unlike many of our Federal programs, decentralizes the administration of this program. In this way, the manpower program will better meet and solve the problems of the communities by enlisting their help. At the same time, it reserves in the Office of the Secretary of Labor the responsibility for assuring that these sponsors maintain a commitment to further the bill's purposes.

The legislation also makes significant gains in improving our present manpower programs by consolidating many of them into a comprehensive services system. It also implements this program as an economic stabilizer.

Finally, the Comprehensive Manpower Act provides for a national computerized job bank—a proposal I have long advocated.

However, there is one section to which I should now like to draw attention. Section 104, subsection (a), states that in order to be eligible for comprehensive services programs, an area must maintain a population of 100,000 or more or, in conjunction with other areas, establish such a population. I am certainly hopeful that this measure will receive broad interpretation by the Department of Labor.

For example, Plainfield, N.J., population 55,000, would not be eligible for assistance despite the fact it is a recognized labor market unless it is permitted to join with surrounding communities. Therefore, it is my sincere hope that with passage of the Comprehensive Manpower Act goes a broad interpretation of this particular section. Without it, such cities as Plainfield would certainly be slighted.

Mr. DON H. CLAUSEN. Mr. Chairman, I thank the gentleman from Arizona (Mr. UDALL) for yielding, thereby permitting me to associate myself with the remarks made by him, Mr. RHODES, and Mr. STEIGER regarding the very successful SER manpower training program that has helped so many Mexican-American and Spanish-speaking people acquire jobs and subsequently enhance their ability to improve their standard of living.

I believe this legislative history made in the colloquy between Mr. UDALL and Mr. O'HARA, the principal author of the bill, is important in order to establish the intent of the House regarding the ability of programs, like SER, to continue unmolested and undisturbed. This assurance strengthens the legislation, in my judgment.

In order to clarify and convey the success story of the SER program, I want to read into the RECORD a recent U.S. Department of Labor news release describing Operation SER because it clearly illustrates what can be done with the right kind of program direction. Spanish-speaking and surnamed people are a wonderful and very proud people that I have enjoyed working with. The underlying philosophy of SER is sound and has great potential.

Having said this, I now would like to read into the RECORD the following contents of the Labor Department news release:

THIRTEEN THOUSAND MEXICAN-AMERICANS WIN JOBS THROUGH OPERATION SER

A three-year struggle to form a Mexican American self-help organization that so far has reached, counseled, trained, registered and placed nearly 13,000 workers is told in the 1970 report of Operation SER.

The report, announced today by Assistant Secretary of Labor Malcolm R. Lovell, Jr., outlines the history, problems and accomplishments of the Labor Department-funded program.

SER (Service, Employment and Redevelopment) originally was called Jobs for Progress, Inc., but soon was refered to by the acronym SER, which in Spanish means "to be." SER was formed in 1966 by the League of United Latin American Citizens (LULAC) and the American GI Forum.

SER is run by Hispanos and focuses on urban areas of five southwestern States—Arizona, California, Colorado, New Mexico

and Texas—where the Spanish-surnamed population is more than five million.

Cultural differences, language barriers, economic discrimination and problems evolving from a change from rural to urban society can be dealt with more effectively by utilizing the internal leadership structure of the Mexican American communities. This is the premise of the intensified manpower organization.

SER works with community groups to get disadvantaged, jobless, or under-employed Mexican Americans into the mainstream through economic betterment. SER supplements the role of regional social services, manpower agencies and institutions in the field of jobs.

The manpower program reported it placed the 12,781 people in five States divided thus: Arizona, 2,223; California, 2,089; Colorado, 1,410; New Mexico, 1,877, and Texas, 4,312. An additional 870 placements were not documented by State.

A study of 7,970 persons that SER placed in jobs during the three years showed that about half of them were placed in jobs that paid at least what they had been making before they were unemployed. The other half found jobs that paid substantially more than before. The survey showed also that the "stepup" occurred mainly for persons in the $3,000 range—the area on the border of poverty and non-poverty.

According to the report filed by Operation SER, the program has demonstrated that Federal funds invested in such a project can produce a high immediate return in new jobs for the unemployed and in the development of new skills for the underemployed.

Some other points made in the report:

Many areas of the Southwest have traditionally hired Mexican Americans only for the most unskilled categories of work. Consequently, prevailing wages have been very low.

Further use of the SER Skills Bank network is expected to help increase both the rate of placements and the efficiency of local training projects. (No SER project had dropouts from skills training that exceeded 20 percent, and it often ran as little as five percent.)

In the three years of the program, there has been a notable improvement in the quality of referrals, counseling, and prevocational training.

The program has countered stereotypes and proved to some large private companies that Mexican Americans are as "teachable" as any other group.

One of the problems of the past has been the small number of entry-level jobs the Mexican American has had to compete for.

It was important to demonstrate to the Mexican American community that it could work with the Federal Government to help itself.

Local community participation and involvement in the development of the SER effort is built into the structure of SER boards of directors to allow for "maximum feasible participation."

It was found that materials on Mexican American manpower were literally nonexistent. A registration form for the Skills Bank was developed in cooperation with the Regional Skills Bank to provide data on registrants.

Problems that SER staff had to overcome included establishing credibility and competence, avoiding interference with established, effective channels, and convincing local communities that the SER effort was neither "tokenism" nor political.

Unfavorable attitudes that extend to the hard-core unemployed were compounded and complicated by the cultural and language differences that make communication difficult.

One way to overcome some of the difficulties was an intensive counseling of the trainee for both objective and personality difficulties and a strong conscious effort to instill individual, community and ethnic pride.

There was a heavy emphasis on short-term goals and a conscientious effort to see that the individuals kept working toward these goals.

SER counselors and administrative personnel use self-identification as Mexican-Americans to very great advantage. In addition, they can "push" trainees and registrants in a manner that is quite beyond the ability of Anglo-American personnel.

When trainee characteristics were studied in September 1968, it was found that of the 1,029 trainees then in SER classes (skills training and various types of prejob training) 85.1 percent were heads of households. Eleven percent were welfare recipients at the time they entered the training.

In ethnic composition 90 percent were Mexican American, 4.19 percent were Negro, and 4.0 percent Anglo. Of this group, 96 percent had less than a high school education. The average grade attainment was the sixth.

In a substantial manner, SER "has demonstrated that a wide base of support through the involvement of Mexican American civic organizations is possible at very small cost in administrative friction."

Operation SER has demonstrated that the existing base of public agencies is well served by a Federal program that utilizes their services and yet provides an extra measure of Mexican American sensitivity. These agencies gain more effective outreach and confidence from the community.

The study pointed out that there are still many problems to be solved. Some cities with massive Mexican American populations are still not being reached by local projects. Their problems are compounded by not having skills and very often little ability to communicate in English.

The Regional Office of Operation SER is located in Santa Monica, Calif. Nicandro F. Juarez is executive director. Alfonso G. Sanchez of Santa Fe, New Mexico, is chairman of the National Board of Directors.

Mr. RHODES. Mr. Chairman, Operation SER is a Mexican-American self-help organization which actively counsels, trains, registers, and places workers in various types of jobs in five Southwestern States, including my home State of Arizona.

SER was not mentioned in the House version of the Comprehensive Manpower Act. The need, however, for this type of program is well established and could and should be included in the bill which we are considering today.

I am sure that the Congress means SER to be funded. I trust it will be.

Mr. HANNA. Mr. Chairman, I take this opportunity to commend to you and my colleagues in this House the worthy activities of an organization known as SER—services, employment, and redevelopment. This organization, as my good friend and colleague from Arizona has noted, is composed of an energetic and committed group of Mexican-Americans who are diligently endeavoring to better their position and those of their brothers in this great country.

I am pleased to represent a county which is benefiting from SER. The plight of my Mexican-American constituents has been significantly improved in the years this group has been in operation.

I am relieved to hear the author of the legislation before us today, the Comprehensive Manpower Act, state that it is the intent of this measure to cover SER. I hold hopes, however, that the conference committee will specifically include in the final bill the needed funding and commitment to the SER program.

Mr. SIKES. Mr. Chairman, we in Florida have, for a long time, been concerned with stronger employment and training programs and we have felt that much of this could best be accomplished at the State levels. I am confident that this objective is shared by a great many others. We feel that the greatest efficiency and economy in the expenditure of Federal tax dollars in these areas is through the active cooperation and participation of the State agencies which deal with these subjects. The employment security agency in the State of Florida has been the prime partner with the Department of Labor in providing such services.

We have noted, however, a current trend away from the dependence on State agencies and a corresponding expansion of the activity of the Federal agencies in these fields in Florida and elsewhere. This is disappointing. We had hoped that new legislation, instead of emphasizing this trend, would revise the Federal administrative framework to provide necessary funds to support manpower programs through responsible roles within the State agencies. We think this legislation should insure a healthy level of intergovernmental cooperation between State and local officials. We want emphasis on maximum utilization of the agencies which can make best use of the experience and knowledge available in whatever field.

We do not think that H.R. 19519 would move in the right direction. We think it would aggravate the problems which already have been noted. Rather than establishing a public service employment program geared to move people off of unemployment and welfare rolls and into a competitive labor market, it proposes a self-perpetuating bureaucracy of its own by guaranteeing a public service employee either the entry wage or the prevailing wage, whichever is higher, for his particular occupation. Certainly this affords little inducement to seek a similar job in a competitive field without the security of a guarantee. As well, this public service program would guarantee the employee unemployment compensation benefits and workmen's compensation benefits. Therefore, in many cases, he is better off in his newly created Federal job than he could be in the competitive market and certainly he enjoys a greater sense of security under this plan.

This bill does little to establish responsibility on the part of the States, or their chief executives, to plan, develop, and administer a comprehensive manpower program consistent with the principles and objectives outlined in the act. It does little to improve intergovernmental relationships between State and local officials or to make economy out of existing resources and personnel in the State employment security agencies. Instead, this legislation advances the proposition of overweighting the Secretary of Labor with authority to circumvent the Governor and the employment security

agency, going direct to local governing officials to negotiate a contract for the funding of a local manpower plan. In fact, the only requirement imposed on a local governing official suggesting that his plan be coordinated at all is that which states that the plan must be approved by the local community action agency. As you may know, community action program agencies act as independent contractors with the national office and have no obligation to reconcile or coordinate their activities with State agency officials.

The Department of Labor advises that this bill will increase the role of the employment security agency and that it makes more money available for manpower services. While this is true, it is also more important to note that there is no expectation that the employment security agency's authority for executing its responsibilities will increase, rather that they will be diminished and agency resources more greatly used by local prime sponsors without regard to existing program priorities to be administered by the State. It is also not unreasonable to anticipate that any extra funds appropriated will be more than absorbed in the substantial increase in administrative expenses which would be generated by the number of prime sponsors eligible to operate under this program.

I consider it unfortunate that this legislation has come to the floor at this late hour in the congressional session. I feel that it should be recommitted and that a more workmanlike job be done in the next Congress when there will be ample opportunity for full and proper consideration of the measure and its objectives.

Mr. ALBERT. Mr. Chairman, in Poteau, Okla., there are few Federal programs that excite people. The alphabet of Washington is not understood. But they do know about a program of the Department of Labor called Green Thumb. It is something that everyone understands because it reaches to the heart of the problems of the community. The same is true in Stigler and many other towns in eastern Oklahoma. There are men who have worked hard all their lives and now at age 60 or 70 find themselves without a job and without enough to live on. Green Thumb provides them an alternative to poverty or welfare—a job. It provides jobs in public service. They do not earn a lot, only $1,600 a year, but it is $1,600 they have earned and not taken from welfare. These men build parks and carry out conservation projects. They renovate community and historical sites. With their hands and skills they make eastern Oklahoma a better place to live. They get training and help in getting jobs outside the program. Some of them make it in full-time employment in local industry. Others, while not yet getting jobs in other employment, are making it with dignity and by the sweat of their brow.

Everyone is proud of Green Thumb in eastern Oklahoma. There is something stirring in seeing proud men building a new park, planting trees, or developing a nature trail. Eastern Oklahoma has seen Green Thumb, and has accepted it as the pilot demonstration for the public service employment program.

I suggest this kind of public service employment and the bill before the House today. In order that all Members may know of the benefits of the Green Thumb program to southeastern Oklahoma, I include at this point in the RECORD an article from the McAlester Democrat or the Green Thumb program in McCurtain, Okla.:

MCCURTAIN SPORTS A NEW CITY PARK

Not many towns the size of McCurtain, Oklahoma (population 528) can sport a new city-owned park and outdoor-recreation center.

"We would have never been able to build the new park, either," said the energetic mayor of McCurtain, Mrs. Nellie May, "if it hadn't been for the labor provided through the Green Thumb program."

McCurtain's new park is located on a 60-acre tract west of the Haskell County town on Highway 31. It is built around a strip-mining pit lake which was once a safety hazard and an eyesore to the community. The lake now serves as the center of activity for the recreation area.

The Green Thumb program is not an organization of civic-minded gardeners as the name might imply, but a labor and job training program operated by Green Thumb, Inc., a wholly owned subsidiary of the National Farmers Union.

State director of Green Thumb, Inc., is Chester Stone of Oklahoma City.

"We get a lot of blank stares when we mention the Green Thumb program," Stone said, "but this is to be expected with a program as new as ours." The program was initiated nationwide in 1964 and work was activated in Oklahoma in March of 1968.

Funds for installing Green Thumb projects like the one located at McCurtain come from contracts negotiated annually with the U.S. Department of Labor.

Mrs. May said that area residents headed up by the local Extension Home Demonstration Club had contributed some $700 toward purchasing materials used in the project. She also cited County Commissioner Roland Smith for doing land smoothing and earthmoving on the park.

"We're working with the power company now to have the park lighted for use in the evenings," the lady mayor said.

The Haskell County Soil and Water Conservation District donated 500 pine seedlings to the project that were planted on the strip-pit spoil banks.

Herbert Banks, district conservationist with the Soil Conservation Service at Stigler, worked with Mrs. May in preparing a conservation plan for development of the McCurtain park. A soil survey and aerial photos of the area were used by Banks in planning what work would take place.

"In passing the area prior to the time that park improvement work began, I don't believe I ever saw a person in the area. Now it is in constant use by local children, adults and tourists," Banks said.

"An undeveloped strip pit and an overgrowth of brush and weeds; that's about all that was here when work first started," he recalled.

The brush and weeds are gone and in their place are well-trimmed shade trees, picnic tables, barbeque grills, and a swimming area.

Roland Ragland, field supervisor of Green Thumb, Inc., works with Stone on recruiting employees, "green thumbers," for the program.

"To qualify for the program," Ragland stated, "a man must be 55 years of age or older and have an income of no more than $2000 per year. The national average age of participants is 69 years," he said.

It may be hard to believe that men past normal retirement age can do a topnotch job, but the quality of masonry and carpentry work done at the McCurtain project speaks for itself.

Jake Walters, 70, Raymond Shaw, 67, and Elmer McKinney, 67, are representative of the 14 men working on the McCurtain Green Thumb project. Each, by modern-day standards, is a likely candidate for leisurely retirement, but they find staying active and productive more to their liking.

"It's not often men our age get a chance to work at a full-time job," McKinney said.

"There's nothing as boring as sitting around the house looking for things to do to pass the time away. This opportunity to get outdoors and work regularly has sure meant a lot to me," he added.

Shaw and Walters echoed McKinney's feelings and stated they were looking forward to working as long as their health permitted.

Stone commented that he never ceased to be amazed by the work his men could do and by new skills they could learn. "These picnic tables we are building here were designed by one of our employees down in Latimer County. He didn't like the design we were using earlier so he set about to design a better one," the director noted proudly.

The work being done at McCurtain is the second Green Thumb project in Haskell County. A park renovation project was completed at Stigler in December of last year.

Mr. O'HARA. Mr. Chairman, during the debate on H.R. 19519 today, some Members have expressed the view that community action agencies would move in and take over manpower programs generally. As has been, I hope, adequately explained, the city as a prime sponsor has a priority claim over the CAA or any other applicant for prime sponsorship. Only if the mayors of these cities fail to exercise their option, will the CAA's even be authorized to submit applications.

As evidence of the commitment the mayors of our great cities have to exercise their title 111 duties, I include in the RECORD telegrams from the mayors of Philadelphia, San Francisco, Boston, and a great many other major cities, which I have received today supporting H.R. 15919, as well as a letter from the U.S. Conference of Mayors and the National League of Cities:

JACKSONVILLE, FLA.,
November 16, 1970.

Hon. JAMES O'HARA,
House of Representatives,
Rayburn Building,
Washington, D.C.:

The comprehensive manpower act H.R. 19519 is needed to provide local planning and control of Federal manpower programs as Mayor of Jacksonville, Florida, I strongly support the concept and goals of H.R. 19519.

HANS G. TANZLER.

WASHINGTON, D.C.
November 16, 1970.

Congressman JAMES G. O'HARA,
Rayburn House Office Building,
Washington, D.C.:

Confirming my phone call Re H.R. 19519. Please be assured that assigning major responsibility for planning and resource allocation to the mayor's office would be a long and much needed step in the sensible admin-

istration of manpower programs and the monitoring of local agency activities.

KEVIN H. WHITE, *Mayor of Boston.*

CHATTANOOGA, TENN.,
November 16, 1970.

Representative JOHN O'HARA,
Rayburn House Office Building,
Washington, D.C.:

We have wired Representatives William E. Brock and Howard Baker asking their support of the O'Hara Comprehensive Manpower Bill and their opposition to crippling amendment to the Public Service of Employment Section.

A. L. BENDER,
Mayor.

BALTIMORE, MD.,
November 16, 1970.

Hon. JAMES O'HARA,
House Office Building,
Washington, D.C.:

I strongly urge your support of the O'Hara Comprehensive Manpower Act Bill H.R. 19519 when it comes before the House tomorrow. To be specific, I am in strong support of the provision in the bill which provides for job creation in the form of a public service employment program as well as the opportunity for mayors to plan and operate manpower programs at the local level.

THOMAS J. D'ALESANDRO III,
Mayor.

UTICA, N.Y.,
November 16, 1970.

Congressman JAMES O'HARA,
Rayburn Building,
Washington, D.C.:

Strongly support Comprehensive Manpower Act H.R. 19519. Strong need exists for mayors to plan and operate manpower programs at local levels.

DOMINICK N. ASSARO,
Mayor, City of Utica.

NEW HAVEN, CONN.,
November 17, 1970.

Congressman JAMES O'HARA,
House Office Building,
Washington, D.C.:

As members of executive committee of Connecticut conference of mayors, and as mayors of individual cities, we urge you vote for comprehensive manpower act H.R. 19519 without amendment unemployment in Connecticut has doubled since last year mayors want and need power to plan and operate manpower programs at local level. Direct funds to cities for new public service jobs will provide needed employment not just training. However must have adequate funding on a long term basis to avoid false promises.

Executive Committee, Conn. Conference of Mayors: Mayor Hugh C. Curran, Bridgeport, President; First Selectman Clarence F. Heimann, Trumbull; Mayor Donald T. Dorsey, Meriden; First Selectman Johne Sullivan, Fairfield; Mayor Antonina Uccello, Hartford; Mayor Gino Arconti, Danbury; Mayor Bartholomew Guida, New Haven; Mayor Frank Zullo, Norwalk; Mayor Paul Manafort, New Britain.

PROVIDENCE, R.I.
November 17, 1970.

Congressman JAMES G. O'HARA,
Rayburn Building,
Washington, D.C.:

Re H.R. 19519, Comprehensive Manpower Act, we strongly urge support of the above bill enabling mayors to plan and execute programs.

JOSEPH A. DOORLEY, Jr.,
Mayor of Providence.

NEW HAVEN, CONN.,
November 17, 1970.

Representative JAMES O'HARA,
Rayburn House Office Building, Washington, D.C.:

I strongly urge you to support the comprehensive Manpower Act as proposed in H.R. 19519.

This bill warrants the support of those who recognize that public service positions are keenly needed both to provide essential services as well as serve as a tool to combat rising unemployment.

In addition, this bill logically and appropriately places the responsibility for the administration of the program in the mayor's office where its efficient and effective operation can best be assured.

BARTHOLOMEW GUIDA,
Mayor.

SAN FRANCISCO, CALIF.,
November 17, 1970.

Congressman JAMES O'HARA,
Rayburn House Building, Washington, D.C.:

Urge passage today of Comprehensive Manpower Act HR 19519 without amendments. Consider passage vital to development of local plan of action for efficient delivery of manpower services. An adequately funded public service employment provision is critical to increase job opportunities in San Francisco.

JOSEPH I. ALIOTO,
Mayor.

PHILADELPHIA, PA.,
November 17, 1970.

Hon. JAMES O'HARA,
Rayburn Building, Washington, D.C.:

It is most urgent that the Comprehensive Manpower Act receive support in the form in which it will be presented to the Congress on Tuesday, November 17. As Mayor of Philadelphia and president of the U.S. Conference of Mayors, I join with my fellow mayors in supporting the key provisions of the bill which assure that mayors will have control over the disbursement of manpower funds in their cities. Also, I support the creation of a public service employment program.

JAMES H. J. TATE,
Mayor.

NATIONAL LEAGUE OF CITIES,
U.S. CONFERENCE OF MAYORS,
November 17, 1970.

Hon. JAMES G. O'HARA,
U.S. House of Representatives, Rayburn House Office Building, Washington, D.C.

DEAR CONGRESSMAN O'HARA: The mayors throughout the nation strongly endorse and urge the immediate passage of H.R. 19519, "The Comprehensive Manpower Act." This bill warrants their full support because of two basic concepts: first, this legislation would for the first time give local elected officials the opportunity to place and operate manpower programs; second, this legislation if enacted would result in a public service employment program launched from the Federal level to local governments thereby providing jobs that are sorely needed at a time when unemployment continues to rise.

For a number of years the U.S. Conference of Mayors and National League of Cities have supported manpower development and training programs which enable citizens to be trained and placed in meaningful jobs. We have repeatedly urged that Mayors be allowed to assume leading roles in the coordination of manpower programs at the local level.

In 1967, the Senate considered the Emergency Employment Act of 1967 which would have provide Federally funded jobs at the local level. This measure unfortunately failed by only a few votes. Both the National League of Cities and the U.S. Conference of Mayors were in the forefront pushing for this legislation.

Later, in 1968 at both of the Annual Conventions of the League and the Conference, resolutions and policy were adopted urging the Congress to pass legislation giving the mayors the opportunity to plan and operate local manpower programs. In addition, both organizations urged immediate adoption of a massive public service employment program. At every Annual Convention of our organizations since 1968, manpower—training and jobs for the unemployed and underemployed—has been a major topic of discussion.

Resolutions and policy are mere words unless supported by action. For the past 18 months we have taken the course of action through manpower seminars which have been held throughout the country and which have involved city officials of over 100 cities. The seminars were most productive in that they demonstrated the willingness on the part of local officials to become directly involved in seeking solutions to the problem of providing training and providing jobs at the local level. And through these discussions the need for the mayor to be the major coordinating force and the need for a massive public service employment program was quite clear. Fortunately, as mentioned above, the manpower legislation before you contains these concepts.

It was after these seminars, this display of interest in manpower programs on the part of the local officials, that the U.S. Department of Labor offered grants to approximately 135 of our larger cities to provide mayors with manpower planning personnel. As of the first of November, 87 cities had secured final approval of their grant applications; others were awaiting funding. This personnel will indeed help local officials in preserving and developing our human resources.

There are those concerned about the conflict at the local level as to who will operate these programs if the legislation before you is enacted. A few years ago there was evidence that in some cities the community action agency and city hall were at odds. But, on the whole, that is no longer true today. A recent report released by the National Association of Community Development shows that the mayors are increasingly taking the lead in coordinating the various manpower programs and that community action agencies, which have a coordinating role are beginning to look with favor on the trend. Quoting from the report:

The Mayors of America's cities are in a very pivotal position with regard to manpower . . . In most cases, the Mayors are seen by the community action agencies not as a threatening force, but potentially as a helpful force in the coordinating of manpower programs. The basis of an alliance exists between the community action agency and the Mayors in seeking greater local determination and control.

Hopefully the facts outlined above will clear some of the questions relative to the mayors' desire to take a lead role in local manpower programs and as to how the mayors' role in coordinating these vital programs is perceived at the local level.

We again urge on behalf of the nation's mayors immediate passage of H.R. 19519, "The Comprehensive Manpower Act". Much of our legislative effort was spent earlier this year in pushing the bill through the Senate. We were most pleased by the large vote on manpower legislation, similar to the House bill, by that body. We urge you to use your influence to secure immediate action in the House so that a bill can be approved and forwarded to the President before this session ends.

In conclusion, we would like to point out that the mayors are attempting to cope with the unemployment now facing the nation with limited authority and limited resources. This legislation, if enacted and implemented immediately, would go a long way in assisting them in meeting the basic need—a decent job with a decent wage—for many of our citizens. With continuing rise of unemployment that basic need cannot be met without the help of the Federal government.

Sincerely,

PATRICK HEALY,
Executive Vice President,
National League of Cities.
JOHN J. GUNTHER,
Executive Director,
U.S. Conference of Mayors.

Mr. CONYERS. Mr. Chairman, the deplorable rise in the rates of unemployment and underemployment are painfully felt by millions of Americans in both urban and rural environments. There exist today pockets of poverty across the Nation where people are compelled to endure inadequate education, inferior housing, and persistent joblessness.

The U.S. Department of Labor tells us that while the current rate of unemployment has risen above the 5 percent mark, in the low-income areas of the Nation's largest eight cities, that figure varies from 8 percent to 13.5 percent. We are told further that if one adds to the regularly listed unemployed the jobless who have dropped out of the labor market and the millions more who are in low-paying or part-time jobs, then the so-called subemployment rate for poverty areas of these eight urban centers ranges from over 25 percent to over 45 percent.

Information of this nature arouses in me not only a sense of tragedy, but an even firmer resolve. For I have always considered the economic security of each individual to be a vital prerequisite for a free and democratic society.

After the eruptions of 1967 in Detroit, I set about with the help of a good many people operating within both the Government and the private sector to fashion an omnibus bill that attempted to deal aggressively and thoroughly with the urgent dilemma of unemployment and underemployment in America. Implicit in the title of the bill, "The Full Opportunity Act," is the condition that this legislation sought to make a reality for the entire Nation. Among its various titles, we concerned ourselves with full-employment opportunity, a comprehensive minimum wage, equal employment opportunity enforcement, the concept of family allowances, adequate housing, fair housing, improved public education, and equal opportunity to postsecondary education.

I do not claim that our omnibus bill posed an immediate solution to America's unemployment crisis, but in its treatment of the subject, it took into account the interrelationships between the many individual aspects of the problem. I am convinced that any effective piece of legislation affecting the labor situation must take into account the full range of factors that ultimately influence the job market.

The bill before us, the Comprehensive Manpower Act, deals with this broad spectrum more completely than any other employment legislation of recent years. I commend Mr. O'HARA, my colleague from Michigan, Mr. DANIELS of New Jersey and the other members of the committee for the considerable attention they have brought to this bill. I feel that their efforts have resulted in a program that will fully utilize human resources to meet community needs. Even more, they have submitted a vehicle that can do much to restore freedom and democracy to the lives of millions.

Mr. RARICK. Mr. Chairman, the Comprehensive Manpower Act declares among its objectives "to promote maximum employment, production, and purchasing power—an opportunity for a gainful, productive job to every American who is seeking work." Certainly this is persuasive and is a laudable undertaking.

Yet, it is quite apparent that the reaction and fervor indicated in support of this bill is generated in an artificially created atmosphere as if to solve the ever-increasing unemployment rolls.

As if under standard operating political procedure, few seem interested in attacking the cause or the root of the problem of escalating unemployment, but rather seem satisfied to shadow-box effects and interpretations to fool the public with more rhetoric and cliches such as "guaranteed jobs for all."

It is simple logic that the U.S. workers and taxpayers cannot divide their wealth, jobs, and industrial development with all of the retrogressive nations of the world and still maintain our acceptable economic status.

Surely, no one has forgotten the many foreign aid pipelines of U.S. tax dollars, and international banking contributions to upgrade our many foreign friends with new industry and jobs for their people. Can anyone have forgotten the 400-page report from the World Bank, delivered to President Nixon as the blueprint for his task force on international development—see my remarks, CONGRESSIONAL RECORD, October 6, 1969, page H9129—nor the passage in September of this year of H.R. 18306, authorizing the giving away of over a billion dollars in taxpayers' money to the International Monetary Fund, World Bank, Asian Development Bank, and the Inter-American Development Bank for the announced purpose of creating jobs and industrial development outside the United States.

Already, the birds are flying back to roost as we find our high standard of living being plagiarized by foreign goods and materials against which our labor and producers cannot compete in any marketplace. This is but the beginning, as our people follow the melodious tune of the Socialist piper calling for equal division of wealth, goods, and jobs around the world. So this bill now purports to attack the growing unemployment problem by diverting the people's attention away from the cause, promising as a solution the training of people for jobs that do not exist or for lack of a better description, training people for jobs which are created by political expediency for the sole purpose of improving statistics.

The provisions of this bill present the ultimate in "featherbedding" as the American people are now being asked to pay to make our mistakes less noticeable and less painful under the international "share the wealth program." This bill not only represents the height of Socialist control over every unit of labor in our country under a labor czar but is a coverup for the political planning of those who have committed us to a role of destruction of our system of government as well as a program of retardation of our leadership in the economic world.

I just wish that the hard-working productive American people could be present during these debates and could listen to the upside down rationalizations and political justifications for putting the American people under the controls of this legislation.

I must cast my people's vote against such legislation that would be detrimental to their welfare and security. My people are seeking honest solutions to the unemployment problem, not more Federal regulations and socialism.

Mr. VANIK. Mr. Chairman, I support the Comprehensive Manpower Act, H.R. 19519, which is before the House today.

A great deal of study and consideration has been given to this bill and it is a great improvement over the original bill recommended by the administration. But it is time we acted. During the sessions of the 91st Congress, an additional 2 million Americans have become unemployed. In the Greater Cleveland community which I represent, unemployment reported under present procedures has risen from 2.3 percent in January 1969 to 3.8 percent in September. In my opinion, these figures are low by almost 2 percentage points.

The Congress has supported fiscal and monetary policies which would have prevented much of this unemployment while halting inflation. The administration has refused to use these economic tools.

It is clear now that while we continue to try to get the economy moving again, we must develop a better and more streamlined manpower program. I believe that the bill before us does that.

First, the bill ends the terrible proliferation of separate categorical programs which duplicate each other in attempting to deliver manpower services. Under the present system, there is a great deal of waste and confusion which should be eliminated. For example, the Welfare Federation of Cleveland, Ohio, has, for 3 years now, conducted an inventory of Cleveland's special federally funded manpower programs. The federation is, to my knowledge, the only citizen-based organization in the country that has made an attempt to evaluate the federally funded manpower programs at work in the Cleveland community.

The federation's latest report dealt with 14 separately funded programs and did not even consider several others. The report's conclusion is that while the programs have helped many people, "the unemployment rate of their target population—Cleveland's inner city disadvantaged—has not been significantly affected." This is a particularly sad commentary when one realizes that Cleve-

land's inner city unemployment rate is one-third again as high as the average for six major city slum areas. Clearly, more has to be done and done more effectively.

The new bill provides for a "prime sponsor" in major metropolitan areas who, in cooperation with those civic groups now conducting manpower training programs, will apply for one large program grant. The new program will allow flexibility and unity in getting manpower services to those who need them the most. With unity of purpose and increased funding in manpower programs, it is my hope that more of the hard-core unemployed can be reached.

Other titles of this bill provide for a new program for upgrading the skills of employed workers who at the present time seem struck in low-wage or dead end jobs. Other titles provide for the continuation of the Job Corps program, as well as the development of a national computerized job bank.

At a time when the administration's economic policies have created so many more unemployed, it is particularly important that we move into the area of job creation. With tremendous shortages in hospital orderlies and support personnel and other personnel in the public sector, this bill will provide assistance that will provide the double benefit of employment and public service.

I would like to add, Mr. Chairman, that while this bill will be of great assistance to the many hard-core unemployed, it does not solve the problem of unemployment facing many of our most highly trained and educated workers. With the leveling off of defense spending, draftsmen, physicists with Ph. D.'s, and other extremely well-qualified—and well-paid—personnel are walking the streets in search of jobs.

To let the talent represented by this unemployment go to waste is a disastrous loss to the Nation—especially when there are so many problems facing the Nation which these men could help to solve.

Research, design, development, and construction in the area of air and water pollution control, new forms of clean energy, better transportation, the eradication of disease, and the utilization of ocean resources are frontiers which require the commitment of national resources—and the employment of these unemployed technicians and scientists.

I have cosponsored legislation which would provide an emphasis for research in these areas so as to utilize the talents of this new class of unemployed. I hope, Mr. Chairman, that legislation meeting this new problem can soon be considered and passed.

Mr. DULSKI. Mr. Chairman, the manpower bill, H.R. 19519, is the logical extension of a program that has been in pilot project operation for the past 2 years with resounding success in several communities, including my own.

The Community Welfare Council of Buffalo and Erie County administers the senior aides program in behalf of the National Council of Senior Citizens.

Sixty-two 55-year-old and older individuals have been engaged in community service employment on a paid part-time basis and as a result, many high-quality services are now available in Buffalo and Erie County for our elderly population.

Data collected by the community aides identified individuals who were physically and mentally handicapped, lonely, living in poor sanitary conditions and living in abject poverty. As a result of the community aides' report, needed services were identified and friendly visiting services and homemaker home-health aides were implemented.

FRIENDLY VISITING SERVICE

Friendly visiting service is one of the high-priority needs of the elderly in Erie County. Numerous senior citizens centers, lounges, agencies, and organizations are being used as a base for the information and referral aides. In this way they are able to cover large sections of the community and to determine the needs of other older persons.

The senior aides have demonstrated through identifying the needs of other older people and filtering these needs to the proper sources for appropriate referrals, that in some cases lives have been saved. In many cases individuals and families, who otherwise would have not been aware of services available to them, are now receiving services.

It is doubtful that some individuals would have received aid had it not been for the "outreach" aspect of this project. Indication of successes are obvious: the information and referral aides have conducted 34,000 interviews, and visits to homes; 3,590 individuals and families have received services as a result of these efforts.

MANY RECEIVE ASSISTANCE

Services have included medicaid, social security benefits, employment, housing, nursing home care, and financial assistance among others. The homemaker home-health aides have served 760 individuals and families. As a result of this service, some of these individuals have been able to remain in their homes instead of being institutionalized.

The friendly visitors have served 68 families. They have brought cheer to the lonely, shopped, written letters and brought many isolated elderly in contact with the outside world. One hundred and fifty-four blind persons have been referred to the New York State Commission for the Blind and Visually Handicapped.

The humanitarian achievements of this program really are beyond measurement and the proposed extension warrants full support of the Congress.

The CHAIRMAN. Under the rule, the Clerk will read the bill for amendment by title.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "The Comprehensive Manpower Act."

STATEMENT OF PURPOSES

SEC. 2. The Congress finds and declares that—

(a) To attain the objective of the Employment Act of 1946 "to promote maximum employment, production and purchasing power" we must assure an opportunity for a gainful, productive job to every American who is seeking work and make available the education and training needed by any person to qualify for employment consistent with his highest potential and capability.

(b) It is within the capability of the United States to provide every American who is able and willing to work, full opportunity, within the framework of a free society, to prepare himself for and obtain employment at the highest level of productivity, responsibility, and remuneration within the limits of his abilities.

(c) The growth of the Nation's economic prosperity and productive capacity is limited by the lack of sufficient skilled workers to perform the demanding production, service, and supervisory tasks necessary to the full realization of economic abundance for all in an increasingly technical society, while, at the same time, there are many workers who are working below their capacity and who with appropriate education and training could capably perform jobs requiring a higher degree of skill, judgment, and attention.

(d) The human satisfaction and sense of purpose so important to employment cannot be fulfilled unless employees have a reasonable opportunity to advance in employment to positions of greater responsibility, status, and remuneration.

(e) The placement of unemployed or underemployed workers in private employment is hampered by the absence of a sufficient number of appropriate entry level employment opportunities to satisfy the need therefor and that the preparation of workers now occupying such places for, and their employment in, more responsible positions would increase the number of appropriate entry level employment opportunities.

(f) It is in the interest of workers, employers, and of the Nation to promote the filling of skill requirements in industry and to provide for the upward mobility of industrial workers by a program that will enable employers to educate and train their employees for positions of greater responsibility, to provide opportunities for advancement to industrial workers, and to create employment opportunities for the unemployed.

(g) There are great unfilled public needs in such fields as health, recreation, housing and neighborhood improvement, public safety, maintenance of streets, parks, and other governmental facilities, rural development, transportation, beautification, conservation, and other fields of human betterment and public improvement and that to meet these urgent public needs it is necessary to devote greater resources to public service and to expand public service employment.

(h) The organization and delivery of manpower training services is increasingly complex, the technological nature of the services is expanding, and the trained staff to provide such services is scarce, thus requiring an intensive program of technical assistance and staff training to public and private agencies providing manpower services, and

(i) The economic prosperity of the United States and the well-being and happiness of its citizens would be enhanced by the establishment of a comprehensive manpower policy and program designed to assure every American an opportunity for gainful productive employment and to provide the education and training needed by any person to qualify for employment consistent with his highest potential and capability.

TITLE I—MANPOWER SERVICES PROGRAM

GENERAL RESPONSIBILITIES

SEC. 101. (a) The Secretary of Labor (hereinafter referred to as the Secretary) shall develop and carry out a program of comprehensive manpower services under this title that will—

(1) provide for the prompt referral of those persons who are qualified and are seeking work to suitable employment opportunities;

(2) provide training and related manpower services to all other persons who are unemployed, in danger of becoming unemployed, employed in public service jobs authorized in title III, or employed in low-paying jobs who could through further training qualify for job opportunities that would provide an adequate standard of living for themselves and their families;

(3) provide appropriate training and related manpower services for persons in correctional institutions to assist them in obtaining suitable employment upon release;

(4) provide appropriate training and related manpower services for persons who have recently been or will shortly be separated from military service,

(5) develop an early warning system and standby capability that will assure a timely and adequate response to major economic dislocations arising from changing markets, rapid technological change, plant shutdowns, or business failure;

(6) promote and encourage the adoption of employment practices by public agencies, nonprofit agencies, labor organizations, and private firms that will remove unreasonable barriers to employment, without reducing productivity, and expand opportunities for upward mobility;

(7) reduce the level of youth unemployment by improving the linkages between educational institutions and job markets; and

(8) support and encourage the development of broad and diversified training programs by public, nonprofit and private employers designed to improve the skills and thereby the promotion and employment opportunities of employed workers.

(b) The Secretary shall be responsible for the coordination of the activities of other Federal agencies that may contribute to the accomplishment of the purposes of this Act, for promoting the maximum possible coordination of State and local public agencies and private agencies and for recommending to the President and to the Congress combinations of programs or shifts in responsibility that facilitate the achievement of the purposes of this Act.

COMPONENTS OF MANPOWER SERVICES PROGRAMS

SEC. 102. (a) In meeting the responsibilities imposed on him by section 101, the Secretary shall, to the extent needed in each State and local area, provide a comprehensive manpower services program for all those eligible under this title which shall include but shall not be limited to the following:

(1) A program for testing, counseling, and selecting for occupational training those unemployed or underemployed persons who cannot reasonably be expected to secure appropriate full-time employment without training.

(2) Programs for the attainment of basic education and communications and employment skills, by those eligible persons who indicate their intention to and will thereby be able to pursue, subsequently or concurrently, courses of occupational training of a type for which there appears to be a reasonable expectation of employment, or who have completed or do not need occupational training but do require such other preparation to render them employable.

(3) Outreach to find the discouraged and undermotivated and encourage and assist them to enter employment or programs designed to improve their employability.

(4) Prevocational orientation to introduce those of limited experience to alternative occupational choices.

(5) Short-term work experience with public and nonprofit agencies for those unaccustomed to the discipline of work.

(6) Communication and employability skills for those pursuing, subsequently or concurrently, courses of occupational training who require such other preparation to render them employable and for those with sufficient skills for suitable employment who require such preparation to become employable.

(7) Occupational training designed to improve and broaden existing skills or to develop new ones.

(8) On-the-job training provided by public, nonprofit and private employers.

(9) Part-time training for employed persons where such training would lead to improved employment opportunities.

(10) Programs to provide part-time employment, on-the-job training, or useful work experience for students from low-income families who are in the ninth through twelfth grades of school (or are of an age equivalent to that of students in such grades) and who are in need of the earnings to permit them to resume or maintain attendance in school.

(11) Special programs for jobs in public and private agencies leading to career opportunities including new types of careers, in programs designed to improve the physical, social, economic, or cultural conditions of the community or area served in fields including but not limited to conservation, pollution, beautification, health, education, welfare, neighborhood redevelopment, rural development, transportation, recreation, maintenance of parks, streets, public facilities, and public safety, which provide maximum prospects for advancement and continued employment without Federal assistance, which give promise of contributing to the broader adoption of new methods of structuring jobs and new methods of providing job ladder opportunities, and which provide opportunities for further occupational training to facilitate career advancement.

(12) Programs to provide incentives to private employers, nonprofit organizations, and public employers to train or employ unemployed or low-income persons, including arrangements by direct contract, for reimbursement to employers for the costs of recruiting and training such employees to the extent that such costs exceed those customarily incurred by such employer in recruiting and training new hires, payment for on-the job counseling and other supportive services transportation, and payments for other extra costs including supervisory training required by the program.

(13) Skill training centers wherever a consolidation of occupational training and related manpower services would promote efficiency and provide improved services.

(14) Supportive and followup services to supplement work and training programs under this and other Acts, including health services, counseling, day care for children, bonding, transportation assistance, and other special services necessary to assist individuals to achieve success in work and training programs.

(15) Employment centers and mobile employment service units to provide recruitment, counseling, and placement services, conveniently located in urban neighborhoods and rural areas and easily accessible to the most disadvantaged.

(16) Special job development efforts to solicit job opportunities suited to the abilities of the disadvantaged jobseeker and to facilitate the placement of individuals after training including referral to employment opportunities in urban and suburban areas outside their own neighborhoods.

(17) Job coaching for a limited period to assist the employer and the worker to insure job retention.

(18) Relocation payments and other special services as needed to assist unemployed individuals and their families to relocate from a labor surplus area to another area with expanding employment opportunities where a suitable job has been located. Preference for such assistance shall be provided those who have been provided training before relocation or have been accepted for on-the-job and other types of employer-directed training.

(19) Special programs which involve work activities directed to the needs of those chronically unemployed poor who have poor employment prospects and are unable (because of age, physical condition, obsolete or inadequate skills, declining economic conditions, other causes of a lack of employment opportunity, or otherwise) to secure appropriate employment or training assistance under other programs. Such projects, in addition to other services provided, shall enable such persons to participate in projects for the betterment or beautification of the community or area served by the program, including but not limited to activities which will contribute to the management, conservation, or development of natural resources, recreational areas, Federal, State, and local government parks, highways, and other lands; the rehabilitation of housing; the improvement of public facilities; and the improvement and expansion of health, education, day care, and recreation services.

(20) The development of job opportunities through he establishment and operation of centers for low-income persons who are unemployed or underemployed, providing recruitment, counseling, remediation, vocational training, job development, job placement, and other appropriate services.

(b) Where appropriate, the services authorized by this section may be provided, in whole or in part, through residential programs.

ELIGIBLE APPLICANTS

SEC. 103. (a) To the extent consistent with the purposes of this title, the Secretary is authorized to enter into arrangements with any eligible applicant in accordance with the provisions of this title in order to make financial assistance available for the purpose of carrying out manpower services when the Secretary determines that such services can be most effectively implemented by such applicant.

(b) For the purpose of entering into arrangements with the Secretary under this title, eligible applicants shall be—

(1) prime sponsors designated pursuant to plans approved by the Secretary under section 104; and

(2) other public and private agencies, institutions, and organizations, including community action agencies.

PRIME SPONSORS

SEC. 104. (a) For the purposes of this title—

(1) any State; and

(2) any unit of general local government—

(A) which has a population of 100,000 or more persons on the basis of the most satisfactory current data available to the Secretary and (i) which is a city or (ii) which is a county or other unit of general local government which is determined by the Secretary, in accordance with such regulations as he shall prescribe, to have general governmental powers substantially similar to those of a city and to serve a substantial part of a functioning labor market area; or

(B) which has a population of less than 100,000 persons on the basis of the most satisfactory current data available to the Secretary and which has the largest population of any unit of general local government meeting the requirements of clause (i) or (ii) of subparagraph (2)(A) in a State; and

(3) any combination of units of general local government which covers a geographical area which has a population of one hundred thousand or more persons on the basis of the most satisfactory current data

available to the Secretary and which is determined by the Secretary, in accordance with such regulations as he shall prescribe, to serve a substantial part of a functioning labor market area;

(4) any unit or combination of units of general local government, without regard to the population requirements of clauses (2) and (3), in rural areas designated by the Secretary which have substantial outmigration and high unemployment; shall be eligible to be a prime sponsor of a comprehensive manpower services program in accordance with the provisions of this section.

(b) Any State or unit (or combination of units) of general local government which is eligible to be a prime sponsor under section (a) and which desires to be so designated in order to enter into arrangements with the Secretary under this title shall submit to the Secretary a prime sponsorship plan including provisions which evidence capability for carrying out a comprehensive manpower services plan in accordance with section 105(b) of this title and provisions for the establishment of a manpower services council which—

(1) provide that the chief executive officer or officers of the unit or units of government establishing such council shall appoint the members of the council and shall designate one member to be chairman;

(2) provide that the council shall include members who are representative of community action programs; other significant segments of the poverty community; the public employment service; education and training agencies and institutions, including vocational educational agencies and community postsecondary educational and training institutions; social service programs, including child care, environmental quality, health, recreation, vocational rehabilitation, and welfare agencies; industrial development organizations; apprenticeship programs; business; labor; and veterans organizations;

(3) provide that the chairman of the council shall, with the approval of the council, appoint a staff director who shall supervise professional, technical, and clerical staff serving the council;

(4) set forth procedures under which applications for financial assistance for any fiscal year will be submitted by the prime sponsor which shall be responsible for planning for and carrying out services for which financial assistance is provided under this title and under which appropriate arrangements may be made for the council's participation in planning and development, including initial preparation of such applications;

(5) set forth the prime sponsor's plans for conducting on a continuing basis surveys and analyses of needs for manpower services in the area served by the prime sponsor to be used in the development of applications for assistance under this title;

(6) set forth arrangements assuring that community action agencies will be involved in the development of applications for financial assistance and in the implementation of programs assisted under this title;

(7) set forth the prime sponsor's plans for evaluating (with the assistance of the council) the effectiveness of programs for which financial assistance is provided under this title; and

(8) describe the area to be served by the prime sponsor.

(c) In any case in which a State has submitted a plan under this section to serve a geographical area under the jurisdiction of a unit (or combination of units) of general local government which is eligible under clause (2), (3) or (4) of subsection (a) and which has submitted a plan under this section meeting the requirements set forth in subsection (b), the Secretary shall approve the latter plan after carrying out the procedures set forth in subsection (d). When two or more units (or combination of units) of general local government each submit plans which include a common geographical area under their respective jurisdictions and which are consistent with the purposes of this title and meet the requirements set forth in subsection (b), the Secretary, in accordance with such regulations as he shall prescribe, shall approve for that geographical area the unit of general local government plan which he determines will most effectively carry out the purposes of this title.

(d) The Secretary shall not approve a prime sponsorship plan submitted under this section unless—

(1) the plan was submitted to the Secretary by such date as the Secretary shall prescribe by regulation, prior to the beginning of the fiscal year when such plan is to take effect, in order to provide a reasonable period of time for review in accordance with the provisions of this section;

(2) a copy of such plan has been submitted for comment thereon to the Governor of the appropriate State; the Governor has been provided such period of time, as the Secretary shall prescribe by regulation, after the copy of such plan was sent to him, during which time he may submit comments on such plan to the Secretary, a copy of which comments shall be sent to the plan applicant; and, if comments have been submitted by the Governor, such additional period of time, as the Secretary shall prescribe by regulation, has passed, during which time the Secretary shall, to the extent practicable, confer with and encourage the plan applicant to resolve any differences arising from such comments;

(3) in the case of a plan submitted by a State, satisfactory arrangements are set forth for serving all geographical areas under its jurisdiction except for areas for which a local prime sponsorship plan is approved under this section.

(e) In the event that a unit (or combination of units) of general local government eligible to be a prime sponsor under subsection (a) does not submit a plan meeting the requirements set forth in this section, a community action agency serving a geographical area under the jurisdiction of such unit may submit a prime sponsorship plan for that area.

(f) Except as provided in subsections (c) and (d), the Secretary may approve any prime sponsorship plan submitted under this section if it is consistent with the provisions of this title. A plan submitted under this section may be disapproved or a prior designation of a prime sponsor may be withdrawn only if the Secretary, in accordance with regulations which he shall prescribe, has provided—

(1) written notice of intention to disapprove such plan, including a statement of the reasons therefor;

(2) for a reasonable time to submit corrective amendments to such plan; and

(3) an opportunity for a public hearing upon which basis an appeal to the Secretary may be taken as of right.

(g) For the purpose of making such payments as may be reasonably necessary to cover the staff and other administrative expenses of the councils established pursuant to subsection (b) and to support other planning and evaluation activities of price sponsors, the Secretary shall reserve not less than 1 per centum of the amounts available for titles I, II, and III of this Act to be allocated in the same manner as set forth in section 604.

APPLICATIONS

SEC. 105. (a) Financial assistance under this title may be provided by the Secretary for any fiscal year only pursuant to an application which is submitted by an eligible applicant and which is approved by the Secretary in accordance with the provisions of this title. Any such application shall set forth—

(1) a description of the services for which such financial assistance will be used;

(2) assurances that the services for which assistance is sought under this title will be administered by or under the supervision of the applicant, identifying any agency or agencies designated to carry out such services under such supervision;

(3) any arrangements made for services to be performed, on a reimbursable basis or otherwise, with the public employment service or any other public or private agency, institution, or organization;

(4) a description of the areas to be assisted by such programs, including data indicating the number of potential eligible participants, and their income and employment status;

(5) such other assurances, arrangements, and conditions, consistent with the provisions of this Act, as the Secretary deems necessary, in accordance with such regulations as he shall prescribe.

(b) An application submitted by a prime sponsor for financial assistance for any fiscal year shall set forth, in addition to the requirements set forth in subsection (a), a comprehensive manpower services plan for that fiscal year which shall include provisions for—

(1) coordinated and comprehensive assistance to those individuals requiring manpower and manpower-related services in order to achieve their full economic and occupational potential, effectively serving on an equitable basis the significant segments in that population;

(2) increased occupational opportunities and work experience for eligible individuals;

(3) intensified efforts to relieve skills shortages;

(4) effective utilization of manpower in our economy;

(5) appropriate arrangements with community action agencies, and, to the extent appropriate, with other community-based organizations serving the poverty community, for their participation in the conduct of programs for which financial assistance is provided under this title;

(6) utilizing, to the extent appropriate, those services and facilities which are available, with or without reimbursement of the reasonable cost, from Federal, State, and local agencies, including but not limited to the State employment service, State vocational education and vocational rehabilitation agencies, area skills centers, local educational agencies, postsecondary training and education institutions, and community action agencies, but nothing contained herein shall be construed to limit the utilization of services and facilitates of private agencies, institutions and organizations (such as private businesses, labor organizations, private employment agencies, and private educational and vocational institutions) which can, at comparable cost, provide substantially equivalent training or services or otherwise aid in reducing more quickly unemployment or current and prospective manpower shortages;

(7) Long-term projections of requirements for manpower and manpower-related services, and planning for meeting such requirements, in the area served by the prime sponsor;

(8) evaluating the effectiveness of programs for which financial assistance is provided under this title in achieving the objectives of such programs; and

(9) integrating the services provided under this title with other manpower and manpower-related services in the area served by the prime sponsor for which financial assistance is provided by the Secretary of Labor.

APPROVAL OF APPLICATIONS

SEC. 106. An application, or modification or amendment thereof, for financial assistance under this title, may be approved only if the Secretary determines that—

(1) the application is consistent with the purposes of this title;

(2) the application meets the requirements set forth in section 105;

(3) an opportunity has been provided to the community action agency in the area to be served to submit comments with respect to the application to the applicant and to the Secretary;

(4) an opportunity has been provided to the Governor of the State to submit comments with respect to the application to the applicant and to the Secretary;

(5) an opportunity has been provided to officials of the appropriate units of general local government to submit comments with respect to the application to the applicant and to the Secretary;

(6) the approval request for funds does not exceed 90 per centum of the cost of carrying out the program proposed in such application, unless the Secretary determines that special circumstances or other provisions of law warrant the waiver of this requirement.

SPECIAL REQUIREMENTS FOR STATE PRIME SPONSORS

SEC. 107. (a) Any State seeking assistance under this Act or the Wagner-Peyser Act (48 Stat. 113) shall submit an annual State comprehensive manpower plan to the Secretary for approval in accordance with the requirements of this section.

(b) The State comprehensive manpower plan shall—

(1) provide for the cooperation and participation of all State agencies providing manpower and manpower-related services in the development and implementation of comprehensive manpower services plans by prime sponsors in accordance with the provisions of this Act;

(2) set forth an overall State plan for the development and sharing of resources and facilities needed to conduct manpower programs without unnecessary duplication and otherwise in the most efficient and economical manner;

(3) contain information regarding economic, industrial, and labor market conditions which will be useful to prime sponsors in the development and implementation of comprehensive manpower services plans under this Act including but not limited to job opportunities and skill requirements, labor supply in various skills, occupational outlook and employment trends in various occupations, and economic and business development and location trends;

(4) provide for the conduct of programs financed under the Wagner-Peyser Act in accordance with such rules, regulations, and guidelines as the Secretary determines necessary for the purpose of providing coordinated and comprehensive assistance to these individuals requiring manpower and manpower-related services to achieve their full occupational potential in accordance with the policies of this Act; and

(5) contain other items as the Secretary deems necessary, in accordance with such regulations as he shall prescribe.

CONCURRENCE OF OTHER AGENCIES

SEC. 108. (a) The Secretary of Labor shall not issue rules, regulations, standards of performance, or guidelines with respect to assistance for services of a health, education, or welfare character under this title and he shall not provide financial assistance for services of a health, education, or welfare character under this title unless he shall have first obtained the concurrence of the Secretary of Health, Education, and Welfare. Such services include but are not limited to basic or general education; educational programs conducted in correctional institutions; institutional training; health, child care, and other supportive services; and new careers and job restructuring in the health, education, and welfare professions.

(b) The Secretary of Labor shall not issue rules, regulations, standards of performance, or guidelines relating to the participation of community action agencies and other community-based organizations serving the poverty community under this Act unless he shall have first obtained the concurrence of the Director of the Office of Economic Opportunity.

SPECIAL CONDITIONS

SEC. 109. The Secretary shall not provide financial assistance for any program under this title unless he determines, in accordance with such regulations as he shall prescribe, that—

(1) conditions of employment or training will be appropriate and reasonable in the light of such factors as the type of work, geographical region, and proficiency of the participant;

(2) appropriate standards for the health, safety, and other conditions applicable to the performance of work and training on any project are established and will be maintained;

(3) appropriate workmen's compensation protection will be provided to all participants;

(4) the program does not involve political activities;

(5) participants in the program will not be employed on 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;

(6) the program will not result in the displacement of employed workers or impair existing contracts for services or result in the substitution of Federal for other funds in connection with work that would otherwise be performed;

(7) persons shall not be referred for training in an occupation which requires less than two weeks of preemployment training unless there are immediate employment opportunities available in that occupation;

(8) funds will be used to supplement, to the extent practicable, the level of funds that would otherwise be made available from non-Federal sources for the purpose of planning and administration of programs within the scope of this title and not to supplant such other funds;

(9) the applicant will make such reports, in such form and containing such information as the Secretary may from time to time require, and will keep such records and afford such access thereto as the Secretary may find necessary to assure that funds are being expended in accordance with the provisions of this title.

ALLOWANCES AND COMPENSATION

SEC. 110. (a) The Secretary shall where appropriate provide for the payment of weekly allowances to individuals receiving services under this title. Such allowances shall be at a rate prescribed by the Secretary which, when added to amounts received by the trainee in the form of public assistance or unemployment compensation payments, shall approximate the minimum wage for a workweek of forty hours under section 6 (a) (1) of the Fair Labor Standards Act of 1938 or, if higher, under the applicable State minimum wage law, or, where the trainee is being trained for particular employment, at a rate equal to 80 per centum of the weekly wage for such employment, whichever is greater. In prescribing allowances, the Secretary may allow additional sums for special circumstances such as exceptional expenses incurred by trainees, including but not limited to meal and travel allowances, or he may reduce such allowances by an amount reflecting the fair value of meals, lodging, or other necessities furnished to the trainee. The Secretary shall take such action as may be necessary to insure that such persons receive no allowances with respect to periods during which they are failing to participate in such programs, training, or instruction as prescribed herein without good cause. Notwithstanding the preceding provisions of this subsection, the Secretary may, in accordance with such regulations as he shall prescribe, make such adjustments as he deems appropriate in allowances which would otherwise be payable under this Act, including but not limited to adjustments which take into account the amount of time per week spent by the individual participating in such programs and adjustments to reflect the special economic circumstances which exist in the area in which the program is to be carried on. Allowances shall not be paid for any course of training having a duration in excess of one hundred and four weeks.

(b) For purposes of subchapter I of chapter 81 of title 5, United States Code, any person receiving services under this title shall, under such circumstances and subject to such conditions and limitations as the Secretary shall by regulation prescribe, be considered an employee of the United States within the meaning of the term "employee" as defined in section 8101 of title 5, United States Code, and the provisions of that subchapter shall apply, except that in computing compensation benefits for disability or death, the monthly pay of such a person shall be deemed to be his allowance for a month, if he is receiving one. Regulations prescribed by the Secretary under this subsection may include but are not limited to adjustments in the amount of compensation payable under this subsection to take into account entitlements to workmen's compensation under other applicable laws or arrangements.

Mr. PERKINS (during the reading). Mr. Chairman, I ask unanimous consent that title I be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SCHERLE. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Seventy-seven Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 354]

Abbitt	Edmondson	Podell
Abernethy	Eilberg	Moorhead
Adair	Fallon	Murphy, Ill.
Adams	Farbstein	Murphy, N.Y.
Addabbo	Flowers	Ottinger
Anderson, Tenn.	Gallagher	Patman
Annunzio	Gilbert	Pettis
Ashley	Goodling	Powell
Aspinall	Gray	Price, Tex.
Baring	Hanley	Purcell
Beall, Md.	Hansen, Wash.	Railsback
Berry	Hays	Rivers
Blatnik	Hébert	Rodino
Boggs	Heckler, Mass.	Roudebush
Brock	Horton	Ruppe
Brown, Mich.	Hosmer	Sandman
Brown, Ohio	Jarman	Satterfield
Broyhill, Va.	Jones, Tenn.	Schadeberg
Button	Kuykendall	Skubitz
Camp	Langen	Smith, Calif.
Carney	Long, La.	Smith, N.Y.
Clark	Lukens	Springer
Clawson, Del	McCarthy	Stanton
Clay	McCloskey	Steiger, Ariz.
Colmer	McClure	Stokes
Coughlin	McKneally	Taft
Cramer	Macdonald, Mass.	Teague, Tex.
Daddario	MacGregor	Thompson, N.J.
Davis, Wis.	Mann	Thomson, Wis.
de la Garza	May	Vander Jagt
Dent	Mayne	Wilson, Bob
Devine	Meskill	Wilson, Charles H.
Diggs	Mills	Wold
Dingell	Montgomery	
Dowdy	Poage	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BROOKS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 19519, and finding itself without a quorum, he had directed the roll to be called, when 329 Members responded to their names, a quorum, and *he submitted* herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. Are there any amendments to title I?

AMENDMENT OFFERED BY MR. WAGGONNER

Mr. WAGGONNER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WAGGONNER: On page 17 between line 12 and line 13 amend section 104(d) by inserting a new subsection (4) as follows:

"(4) The plan is coordinated with the State comprehensive manpower plan."

Mr. WAGGONNER. Mr. Chairman, as I understand this proposal, title I establishes a priority under which manpower programs will be assigned sponsors on a priority basis.

First, priority is given to mayors of cities over 100,000 and in the instance of cities of less than 100,000 in size, they must band together as a group or local political subdivisions must ban together, to be able to participate in these programs.

If the mayors of cities over 100,000, or if in the instance of a group of cities banding together—if they fail to band together and they reject sponsoring these programs, the next priority is assigned to community action agencies under the Office of Economic Opportunity.

It is my understanding further that these sponsors must prepare plans. They must then consult with the Community Action Agency and their plans must be reviewed by the State.

What this amendment proposes is to make crystal clear what members of the committee tell me the bill does already—but I do not agree that it is clear enough.

The amendment says that the plan—and the plan I am talking about is that plan which is submitted by mayors of cities of over 100,000 in size or groups banded together—that their plan is coordinated with the State comprehensive manpower plan.

I simply submit to you that unless planning is coordinated, there is no way under the blue canopy of heaven to have a comprehensive manpower plan within the States. There is far too much fragmentation and duplication now. There will be more under this proposal.

Look at page 3 of the report. Either you mean what you say or you do not mean what you say.

You say on page 3 of the report that:

The reforms proposed in this bill, designed to remedy the shortcomings of the present arrangements, would: Unify administration of manpower services by establishing State or area single Prime Sponsors.

Now there is no way to unify if the States cannot coordinate beyond the local level.

You say further that this proposal would:

Require annual comprehensive manpower operating plans as the basis of versatile grants.

You say also that among other things this proposal will provide for a national computerized job bank. If you do not let the State do this, then the only way you can have comprehensive manpower operating plans or a national computerized job bank is to make a czar out of the Secretary of Health, Education, and Welfare and then he will be coordinator nationwide for every city and for every political subdivision in the United States. It is just this simple.

If you are going to plan, somebody has to coordinate. What is wrong with the States coordinating where the States have the responsibility for coordinating other educational programs and other training programs? Do not downgrade the States below OEO.

It is just that simple, Mr. Chairman. I would like for someone to set forth a rationale which will justify what we are doing and disprove the need for comprehensive planning and coordinating by the State. It cannot be done. I ask this amendment be adopted and that we clarify the intent of the bill. If you were honest with yourselves you would admit that this stems from partisan feuds where there are Democratic mayors and Republican Governors or vice versa and Members of the opposite party in the Congress.

Mr. PERKINS. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Kentucky is recognized.

Mr. PERKINS. Mr. Chairman, if the Members of the Committee will turn to page 12, section 104 sets forth the prime sponsors. Every State may submit a proposal under this legislation. But other groups within the State likewise may submit a plan if they are eligible to become a prime sponsor. The State will comment on every plan that is submitted by any applicant prime sponsor regardless of whether it is a city or a county or a group of such that becomes the prime sponsor; the State will comment on every plan from every source that is submitted.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield at that point?

Mr. PERKINS. Yes, I will yield, but first let me point out that the legislation so requires that they comment. But we do not intend to give the State complete authority where local discretion of the manpower programs would be more effective.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. Is the gentleman saying that when a State submits a plan, a prime sponsoring unit or body as well will submit a plan——

Mr. PERKINS. In many instances the State may be the only prime sponsor.

Mr. WAGGONNER. The Secretary would then determine which of the plans he would accept?

Mr. PERKINS. The Secretary will determine consistent with section 104 who shall be the prime sponsor, whether it be a city with a population over 100,000 or whether it is a group of county units that have gotten together.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield further?

Mr. PERKINS. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. I am not talking about determining the prime contractor. Suppose we have arrived at an agreement about the priority order for becoming a prime sponsor. Does the Secretary of Health, Education, and Welfare have the decisionmaking authority to determine whose plan he will accept if the prime sponsor—a city, for example—submits a plan and the State submits a plan?

Mr. PERKINS. The State department of economic development in every State of the Union may submit a plan and they will comment on the plan. The State will comment on every plan submitted by a prime sponsor. We intend coordination with the State, but we do not give the State absolute authority. I do not feel that the Members in this body want to give the States absolute authority over the cities and over county units when they qualify. Let me make that clear.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield at that point?

Mr. PERKINS. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. You made a serious mistake. Let me ask you one question. A minute ago you stated that the State department of economic development would submit a plan. Are we ignoring the Commissioner of Labor and the Commissioner of Education?

Mr. PERKINS. I am talking about the economic development agency, the manpower agency of the State or whatever it may be called in a State's organization of government.

Mr. WAGGONNER. The State manpower development agency.

Mr. PERKINS. The State manpower agency. Certainly I am. It will be left to the Governor to determine how that plan shall be submitted, and the Governor or his designee will comment on every plan that is submitted from any prime sponsor. I feel that the gentleman's amendment will just confuse and interfere with other prime sponsors, and I personally think that we should vote down this amendment because the bill does provide for effective State involvement.

But I do not feel we should give the State complete authority over all manpower programs and disregard the cities and disregard the counties. The way we have left the sponsorship in my judgment will bring about close coordinate—better coordination than any other way. I ask that the gentleman's amendment be voted down.

Mr. PICKLE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think the amendment offered by the gentleman from Louisiana is a good one. If we do not make a provision in the bill that the various programs must be coordinated, then we have the possibility of a multitude of cities within a State or all kinds of organizations, having their own programs as prime spon-

sors. It is questionable, as I read the report, whether these cities must do anything other than just check the State on the program. The gentleman says they must contact the State. Beyond that there is not any other authority they have to follow. So if the Secretary of Labor wants to set up a program in Houston or San Francisco or El Paso, he can choose that city even if the State does not want it, or even if the State education agency or the State vocational agency says it is not a good program and not well coordinated.

Somewhere in this program we ought to have a central place where the various programs can be coordinated. I daresay, as I am advised, the very purpose of this act is so we can have coordination on the 20 or so various manpower training programs.

We have taken away, in effect, the State's veto on any kind of manpower program unless we adopt the amendment of the gentleman from Louisiana, which says simply we should have a coordinated program or authority within a State.

I do not know why the gentleman would object to the State having some kind of final word on this thing. If the State wants to be a prime sponsor or files its own plan, then it would have authority over those areas that would not be covered by any other kind of prime sponsor, but that might be the only thing left to the State. Suppose 20 cities in my State were involved—my employment agency in Texas would not have any say over those agencies. I have had objections from various agencies in my State that this is not a proper thing.

The gentleman says the States may hold up the program. The truth is the States for years have been practically all the muscle necessary to carry on the Public Employment Service.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. PICKLE. I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, the gentleman knows the State employment offices and State educational agencies are represented on the manpower council. That insures that there will be great State expertise and influence in the program and the State is well represented on each one of these councils.

Mr. PICKLE. I would remark to the gentleman, we have under the present employment program, the Bureau of Employment Security, created under the Wagner-Peyser Act, provisions that established the Public Employment Service within the various States. This is what we have had since 1933. They file a plan and operate under it. If we now say, in addition to that program—and I am going to offer an amendment on this in a minute—we must have a State comprehensive plan, and any other of the 50 agencies in a State can bypass the employment division.

Mr. PERKINS. Mr. Chairman, if the gentleman will yield further, they will have the same authority if this bill is passed without this amendment as they have now today. In the case of the Neighborhood Youth Corps and many other presently ongoing manpower programs the employment offices do not now have complete authority. They do not now necessarily have authority over Main Stream or the concentrated employment programs today. Why should we give the State complete authority over these programs that are working so well? That is my point of view.

Mr. PICKLE. We are asking for coordination.

Mr. PERKINS. We already have coordination.

Mr. PICKLE. You would have if you kept the present law.

Mr. WAGGONNER. I have in my hand a list of 22 special manpower programs of major impact, such as the manpower development training programs, their subprograms, the National Alliance of Businessmen, residential programs, and so on and on.

This proposal calls for the consolidation of all these programs. I should like for anybody to tell me how these can be coordinated and consolidated at the same time.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. STEIGER of Wisconsin. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I will be brief, because I know Members are interested in moving along on this bill.

At first blush the amendment offered by the distinguished gentleman from Louisiana might seem appealing, but I believe it is important to understand how we arrived at where we are on this bill.

The other body passed a bill which is also in the form of a comprehensive manpower act, in which the role of the States, in my judgment, was downplayed. The administration made clear it was opposed to the provisions of the Senate-passed bill on comprehensive manpower because the role of the States was less than the administration thought it ought to be.

The administration offered, through Senator DOMINICK of Colorado, a series of amendments designed to correct deficiencies in the bill passed by the other body. Those amendments were not accepted.

When the bill came to the Committee on Education and Labor, one of the first things which was done was the approach made by Secretary Hodgson through a letter to the chairman, Mr. PERKINS, and the ranking minority member, Mr. AYRES, and a number of others on the committee, saying in effect, "We think it is important to pass a comprehensive manpower bill in this session. Here is the Senate bill, and here are the amendments which we offered which we think will help correct the Senate bill."

I can say that all the amendments that were offered by the administration, including the one relating to the role of the States, are embodied in this bill. Therefore, the administration supports this bill.

One of the reasons why they do is because there is an appropriate role for the States.

Quite clearly I would prefer to have the States play a bigger role. The bill which I introduced, H.R. 10908, would have the States doing all of the work in the comprehensive manpower field. I still hold to that as being my ideal.

What this bill does is to say that there is a local prime sponsor, for those of 100,000 or more or a combination thereof, that has first preference. The State role is for the balance of the State, if there are areas, as I am sure there will be in every State in this Nation. They have to prepare a State plan.

That plan is covered in the language on page 23, and I quote:

> Set fortn an overall State plan for the development and sharing of resources and facilities needed to conduct manpower programs without unnecessary duplication and otherwise in the most efficient and economical manner;

Then, of course, there are the provisions further, which say that a local prime sponsor's plan must be submitted to the State for comment. The State is to be given time for independent comment before it is forwarded to the Secretary.

This is, in my judgment, the time necessary and the role necessary for there to be legitimate coordination between the local prime sponsor and the State.

Therefore, I oppose the amendment and feel that the bill in its present form does exactly what ought to be done under the circumstances.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Wisconsin. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. Let me ask the gentleman two questions.

Does the bill in its present form provide for only review and comments on the prime sponsor's plan by the State?

Mr. STEIGER of Wisconsin. That is correct.

Mr. WAGGONNER. Does the bill in its present form provide that before any plan can be put into effect it must be approved—not reviewed and commented on but approved by the Director of the Office of Economic Opportunity?

Mr. STEIGER of Wisconsin. For review?

Mr. WAGGONNER. The manpower plans of a prime sponsor.

Mr. STEIGER of Wisconsin. No.

Mr. WAGGONNER. I believe the gentleman had better read his bill again.

Mr. STEIGER of Wisconsin. If the gentleman from Louisiana will point to that section he believes gives the authority for there to be automatic review by OEO I will be happy to comment. There is a provision which says there can be an opportunity for comment by a Community Action Agency, as there can be an opportunity for comment by the Government.

Mr. WAGGONNER. But the manpower plans overall must be approved by the Director of the Office of Economic Opportunity.

Mr. STEIGER of Wisconsin. My answer is "No." I do not believe that is in the bill.

Mr. WAGGONNER. Does the Senate bill provide for that?

Mr. STEIGER of Wisconsin. Does the Senate bill provide for that?

Mr. PERKINS. There is nothing in the bill about that.

Mr. STEIGER of Wisconsin. It is my time, Mr. Chairman.

There is nothing in the bill, to the best of my knowledge, but I cannot say. The Senate bill is a lengthy bill, and maybe there is something in there to that effect. I cannot tell you; however, it is not in our bill. I can tell you that.

Mr. WAGGONNER. There is that language in the Senate bill?

Mr. STEIGER of Wisconsin. I do not know. Approval is by the Department of Labor and not by the Office of Economic Opportunity under this House bill.

Mr. GONZALEZ. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise at this time not in direct participation on this particular amendment but in order to have some questions answered that may help to clarify a matter in my mind and which might prevent my having to offer an amendment on a subsequent title.

Earlier in the general discussion the gentleman from Arizona (Mr. UDALL) referred to specific projects and mentioned one especially significant to the southwest section of the United States which is popularly known as Project SER. Inasmuch as the Senate version specifically refers to this and other projects of like nature and the House version does not, obviously this bill will go to conference.

I also heard the remarks made in the dialog between the gentleman from Arizona and the various members of the committee. What I want to know at this time is, assuming the matter goes to conference and assuming that this particular section is mentioned, will the conferees—and quite obviously the chairman and most of those gentlemen who are here today will be in the conference—will the conferences support Project SER specifically?

Mr. PERKINS. Will the gentleman yield?

Mr. GONZALEZ. I yield to the gentleman.

Mr. PERKINS. Let me say to the gentleman that I agreed with the colloquy that took place between the gentleman from Michigan (Mr. O'HARA) and the gentleman from Arizona (Mr. UDALL). We certainly have no intention anywhere along the line of tearing up or tearing down any existing programs. In the language in the report we did mention some programs but in every instance we stated in the report that we were not limiting the programs to the ones mentioned. So I can assure the gentleman we will certainly say it is our intention to hold fast to all of the existing programs that are working so well not only in your section but in other sections of the country as well.

Mr. GONZALEZ. I thank the distinguished chairman.

I want to ask also a question mostly for clarification. I accept the words of good faith on this and other programs, but on pages 51 and 52 of the bill it mentions funds available for specific programs. It seems to me, if I interpret this correctly, this bill will set up a fixed schedule of priorities and emphasis insofar as the administration of the program is concerned. Then it further specifies the percentages that will be directed to the different categories of programs. Three-quarters shall be for training and employment programs carried out under titles I, II, and III of this act; and second, one-quarter shall be for activities under title IV of this act, et cetera.

My question is this: Does not this language have a direct and inimicable effect and impact with respect to funding, when and if funds are available for this type of program? Will it not, in effect, deemphasize this program?

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

Mr. GONZALEZ. Certainly.

Mr. O'HARA. The program to which the gentleman from Texas has referred is in the interpretation of the committee given earlier by the gentleman from Arizona (Mr. STEIGER) and repeated here in the colloquy with the gentleman from Texas is that recognized activities under title I——

Mr. GONZALEZ. Right.

Mr. O'HARA. You could spend any part of the funds devoted to title I for the operation of SER or similar programs available to meet the greatest needs in the particular area.

Mr. GONZALEZ. So, it is the gentleman's interpretation that this would not deemphasize or place any limitation upon the expenditure of funds for this operation?

Mr. O'HARA. That is correct.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana (Mr. WAGGONNER).

The question was taken; and on a division (demanded by Mr. WAGGONNER) there were—ayes 35, noes 71.

So the amendment was rejected.

Mr. COLLIER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have been here throughout the debate today. I take this time primarily because I would like to bring to the attention of the committee and to the attention of the House something about the administration of these programs which disturbs me deeply even as one who is ardently for all types of vocational and manpower training programs.

I had occasion about a year and a half ago to follow up one of these programs because I had read in the press about an innovative program of training for oceanography and marine sciences aboard the SS *Explorer* here in the District of Columbia. Because of this, I checked later to find out the results of the program here. It was a phase 1 and a phase 2 program which, incidentally, carried a price tag of $8,000 per enrollee. There were 61 students selected, 35 of whom graduated. Of those who are presently working, 12 are working for the District of Columbia in the sewage disposal department. The balance of them are employed in totally unrelated jobs that have absolutely nothing to do with their training program.

I am concerned as to how carefully these programs are followed, who passes judgment upon an oceanography and marine sciences program to determine at what point this becomes a valuable training program for the purpose of placing the trainees in that particular line for which they were trained.

Now, this program is continuing. I am concerned, based upon my experience not only with this program but with other programs, as to whether or not they are just set up and how much attention is given to them and how successful the programs are.

This program, incidentally, has been renewed again, and if the result is an indication I wonder if the committee does not have a responsibility to make a determination as to whether or not these are the best types of programs, whether or not they achieve the goals or the purposes for which they are set up. It would seem to me, from the results that I have accumulated merely by following this one program, that there is certainly a great inadequacy in terms of accomplishing the goals. I would like to find out from the committee whether the committee ever reviews these programs, and makes a determination as to whether or not there should be a program, or one that would be more efficient in terms of what the intent and purpose of these programs are.

Mr. PERKINS. Mr. Chairman, if the gentleman will yield, let me say to my distinguished colleague that we do review programs, and have records. Many studies have been made of some of the programs, and of course the money goes down the drain, I will say, occasionally, but by and large the results of these programs are outstanding. The placements from the training programs are outstanding.

I could go into detail on some of these programs, and give them for 1968, 1969, and 1970, but I will put some of the studies into the RECORD because the results are good in most of these programs.

Mr. COLLIER. These results are merely statistical in terms of the number employed?

Mr. PERKINS. They are.

Mr. COLLIER. Are there studies made on the relationship of the training to the job that eventually the trainee is placed in?

Mr. PERKINS. Including the dropouts, the placement percentages, all along the line.

Mr. COLLIER. If that is the case, may I suggest that this is one that was overlooked because it would certainly appear from the facts that I have gathered that it hardly merits a renewal, because I can see little relationship between a training program in oceanography and marine sciences to what eventually the trainees wind up doing.

Mr. PERKINS. I agree with the gentleman that not all the training programs have worked.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Chairman, I appreciate the gentleman yielding. The point the gentleman has made is a good point, and I would be one who quite frankly would have to say that we do not always do our job as well as we should, but the very situation the gentleman has brought our attention to is, it seems to me, a further reason why this bill is important.

What we have now, as we are all aware, is that we have training program spon-

sors all across this country, and the Committee on Education and Labor and the Department of Labor, and I do not care who you name, simply are not in a position to be able to make judgment on 10,000 programs. What this bill attempts to do is limit the number of planning contracts and the number of sponsors so that it at least is manageable so that we can decategorize and decentralize, and so that we can begin to make better judgments than any we can hardly begin to make under our present system.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Chairman, I rise in support of the Comprehensive Manpower Act.

Mr. Chairman, I want to express my full support for this bill to thoroughly revamp our manpower training programs. It is difficult to believe that it was not until 1961 that we began to institute large-scale Federal manpower programs. For in the 9 short intervening years we have authorized such a vast array of programs and accumulated such a baffling aggregation of acronyms as to suggest many decades of legislative labor. If these programs were functioning effectively, we could perhaps excuse this untidy proliferation of categorical programs. But the sad truth is they are not. Rather than training individuals for a productive role in the economy these programs are becoming, in some areas, a haven for professional job trainees who are shunted from program to program, never seeing the light of day in the real job market. Also the heavy hand of centralized administration in Washington means that often workers are trained for jobs for which there is little demand in the immediate locale.

Mr. Chairman, these deficiencies are producing rather serious adverse consequences. The population we are seeking to help is becoming increasingly cynical and distrustful as a result of loud promises and promotion but little results. The taxpaying public is becoming increasingly irritated by the seeming bureaucratic sieve into which its hard-earned dollars are disappearing. And one would think that the administrators themselves, at all levels of Government, must be becoming extremely harried by the mounting accumulation of redtape, duplication, and overlap.

In his manpower message to Congress, President Nixon zeroed in on the heart of the problems in the manpower training area: Too many narrow categorical programs and too much heavy-handed control from Washington. His prescription was consolidation and decentralization. I am happy to note that this legislation embodies the President's recommendations. First, by greatly expanding the role of State and local governmental units through the provision for "prime sponsors" we can begin to get the administration of manpower training efforts back to a level where peculiar local needs can be recognized, and the right "mix" of programs fashioned in response. And, second, by bringing the farflung empire of manpower acronyms under a single title, and by providing block-grant-type aid to prime sponsors who develop qualifying comprehensive manpower programs, we will be able to eliminate much of the current confusing redtape in the grant application and administration process.

Mr. Chairman, this manpower bill contains a second, and I think equally important, break with the past. Until now, the preponderant thrust of Federal manpower programs has been in bringing marginal workers into entry-level jobs. While this objective is a laudable one, it has had the undesirable effect of significantly increasing the competition for a type of job, the supply of which is slowly, if at all, expanding. This is precipitating no small amount of resentment in the white "blue-collar" community which, however mistakenly, feels its jobs are being threatened. At the same time we continue to suffer the built-in inflationary effects of a chronic shortage of manpower at the higher levels of the job ladder.

I believe this bill will help to remedy this situation in two ways. First, by providing aid toward 90 percent of the cost of training current employees, we will be encouraging a vitally needed redistribution of manpower toward the higher end of the job ladder. Second, by not concentrating our entire manpower effort at the inelastic "entry level" labor market portal, we will indicate to our hard-working blue-collar citizens that the Government is interested in helping to improve their economic position as well as that of the poor and the blacks. At the same time, the supply of entry-level jobs will be increased providing otherwise nonavailable openings for the unemployed or marginally employed poor.

Mr. Chairman, a third important innovation in this bill is title III providing Federal aid for up to 80 percent of the cost of training public service employees. Now, I am not one who has any use or tolerance for merely "make work" programs or for hastily expanding Government payrolls. However, I am confident that this is not the purpose nor will it be the effect of this section of the bill. To qualify for Federal aid an institution must provide pay scales, working conditions, fringe benefits, and promotion opportunities equal to those for regular employees. All the manpower projections for the next decade that I have seen indicate that the public or governmental employment will be far and away the most rapidly expanding sector of the job market. If we are truly to open solid opportunities for our deprived citizens, this is one of the most promising areas to enlarge our efforts.

Mr. Chairman, let me conclude with one brief reservation or note of caution. I have been most disturbed by the recent finding of the U.S. Civil Rights Commission that there is considerable laxity, indifference, and negligence in the implementation and enforcement of civil rights and equal employment guarantees at all levels of Government. By greatly increasing the area of local discretion and responsibility we are, let us be candid, opening up the possibility that this poor performance will continue or perhaps get worse. I certainly hope and trust that it will not. But I want to urge that those responsible for administering this legislation at all levels make added and more strenuous efforts to see that the letter and spirit of our civil rights statutes are faithfully adhered to.

AMENDMENT OFFERED BY MR. BUCHANAN

Mr. BUCHANAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BUCHANAN: Page 4, strike out lines 20, 21, and 22 and insert in lieu thereof the following:

"(1) provide for the prompt referral to suitable employment opportunities of persons who are seeking work, with special consideration for the placement of qualified individuals who are unemployed, unskilled, or underemployed;"

Mr. BUCHANAN. Mr. Chairman, this is a very simple amendment. It substitutes for the language in the House bill in this particular, the language in the bill already passed by the other body, the bill, S. 3867. It adds to the language of title I, section 101(a)(1) in essence the provision—"With special consideration for the placement of qualified individuals who are unemployed, unskilled or underemployed."—which would help to fulfill the purposes of the committee, as stated on page 2 of the report:

> National manpower policy, partly by design, and partly by the context in which it has developed, has found itself for the most part aiming at alleviating the plight of those who have been variously termed, the disadvantaged, the hard-core unemployed, or the poor. The manpower programs under the Economic Opportunity Act have been so directed by their very nature, and by the nature of the legislation in which they are established; the MDTA manpower programs, after being enacted to serve the needs of persons newly uprooted by technological change, have been redirected, by regulation and by legislation, to serve this same clientele.
>
> The Comprehensive Manpower Act must continue to serve this clientele.

This simply would zero in on the unemployed, the unskilled or the underemployed—or in other words, the disadvantaged, the hard-core unemployed, or the poor.

It might also be termed a private enterprise amendment because it discourages across-the-board competition not only by the State employment services but by whatever community action agency may get into this program with the private employment agencies and would cause us to zero in this legislation on the disadvantaged and the poor. Therefore, it would serve a meritorious purpose governmentally and would be in keeping with the private enterprise system that has been the strength of this country.

Mr. Chairman, I urge the acceptance of this amendment by my colleagues.

Mr. O'HARA. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I find myself in the unusual position of defending the State unemployment services, although I have had my differences with them on this bill.

But I think they deserve a defense in this particular instance.

The amendment offered by the gentleman from Alabama would in effect say to the State employment services, "Go ahead, train people for jobs—do all of the things that a comprehensive manpower system ought to do. But when it is all over with, then you cannot really do *anything for* anyone unless he is unemployed or lacking skills or underemployed."

Presumably, you could send him over to a private employment service after he got 2 years of training, to see if they could find him a job.

I do not think it would be wise or helpful to confine the public employment service to serving only the unemployed or those who lack skills or who are underemployed.

I think in order to have a comprehensive system—sometimes you have people who come in who have skills but who are not working at the jobs at which they have the skills and who need, or who may need, some kind of training and a placement assistance. I think they ought to be helped too.

Neither do I think that private employment agencies would be assisted by the adoption of the amendment that has been proposed. I know that the private employment services think they would be, but I do not think the Congress wants to get into the fight between the private and the public employment services. I certainly do not want to and I would rather leave it out of this bill and let them carry out their fight in some arena other than the Manpower Act.

Mr. BUCHANAN. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman.

Mr. BUCHANAN. Mr. Chairman, I find myself in the unusual position of having to defend the other body.

In its wisdom the other body did include this language. I believe the gentleman is reading a great deal more into it than is in the language itself, "with special consideration for the placement of qualified individuals who may be unemployed, unskilled, or underemployed."

It seems to me that this is not an absolute prohibition but is pointing in the direction of the group that in your own committee report the committee has said you need to make the primary clientele.

It seems to me that the gentleman is reading a good deal more into this language than is contained in it. This is one instance where I have to applaud the wisdom of the other body.

Mr. O'HARA. I am glad the gentleman from Alabama qualified his applause in that way. I would provide less applause in their instance too.

I ask for the defeat of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama.

The question was taken; and on a division (demanded by Mr. O'HARA) there were—ayes 42, noes 46.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. PICKLE

Mr. PICKLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PICKLE: On page 22 of the Act, line 19, amend Section 107(a) by striking out the words "or the Wagner-Peyser Act (48 Stat. 113)," and further amend Section 107(b)(4) at line 18 on page 23, by deleting the word "conduct" and substitute therefor the words "utilization to the maximum extent possible."

The CHAIRMAN. The gentleman from Texas is recognized in support of his amendment.

Mr. PICKLE. Mr. Chairman, the Wagner-Peyser Act programs are largely funded from revenue derived from the Federal Unemployment Tax Act, which established a special wage tax to pay the administrative costs of the Federal-State employment security program. This is the act that provides the money to run all the public employment services in the United States today. It was 0.3 of 1 percent, then 0.4, and I believe now will be 0.5 of 1 percent at the first of the year. But this money is a Federal tax, and it runs all these employment programs.

These funds and activities are of a substantially different nature than the Federal grants which may be available under this act under consideration. To secure the funds under the manpower program a State should not be compelled to agree to certain programs and other conditions not necessary to the operation of the Wagner-Peyser programs, but which might be particularly inherent to a State comprehensive plan. For example—and hear me—a State could lose all of its Wagner-Peyser funds for the administration of its employment security program—and that could include the administration of the work test requirement to claimants for unemployment insurance—if the State did not agree to participate in any one program funded under this particular act. Therefore, it is proposed that the inclusion of the reference to the Wagner-Peyser Act in section 107(a) be deleted.

Under the provisions of the Wagner-Peyser Act, the States already have to submit plans in which they agree to comply with the Secretary's rules and regulations.

Such requirements provide ample authority to achieve the necessary coordination and integration of Wagner-Peyser programs with other manpower programs. Then, consistent with the first part of that amendment, I would say at the latter part of this particular amendment, we would also change the word "conduct" to the words "utilization to the maximum extent possible of funds financed under the Wagner-Peyser Act in accordance with the Secretary of Labor's guidelines."

If we do not adopt this amendment, it would create substantial conflict and confusion, both legislatively and administratively, by requiring that the State comprehensive manpower plan under this act provide for the conduct of the program financed under the Wagner-Peyser Act. The State plan under Wagner-Peyser must provide for the employment service program or the present program throughout the State, whereas the State comprehensive plan under this act by statute covers only those areas in which the States are not included in areas covered by local prime sponsors.

Mr. Chairman, we have the Wagner-Peyser that finances our programs. If we do not take out this particular language under Wagner-Peyser, then we are going to have the entire public employment service program being operated by the State on the one hand, and a State comprehensive plan operated on the other; and the State could have nothing to do in any area wherever there was a prime sponsor in any other cities. It would create all kinds of confusion.

Some will say this is technical and we ought to agree to the amendment. I hope the Committee does agree to it. But the entire State program is paid now with a Federal tax. If we do not take this out, we are going to have absolute confusion as to which program will apply, or this would be a great disservice to the States. We ought to adopt this amendment and not try to compound added confusion as to who should be administering these programs. At least keep the present programs where they would not be ruled out of conformity. This problem—conformity—is hanging over the heads of the States and they are going to have the threat of being ruled out of conformity if we do not pass this amendment.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. PICKLE. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. Mr. Chairman, the law as it is now does not require States to share Wagner-Peyser funds with sponsors of manpower training programs. The gentleman from Texas is absolutely correct. Unless the gentleman's amendment is adopted, we are not going to have coordination, but we are going to have duplication under Wagner-Peyser funds, because the prime sponsor would not be required to use the facilities of the State. They could or could not, as they so choose. They could also set up duplicate facilities and services.

Mr. PICKLE. The gentlewoman is exactly correct.

Mr. MEEDS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the gentleman said these programs are of a different nature. I must emphatically disagree with that statement. The Wagner-Peyser Act is really the end product of the manpower program, and if there is no coordination between what the manpower training facility or portion of the act is doing and the end product or the placement in job opportunity, then we have fallen down in the placement, where we most sorely need coordination.

The gentleman from Texas a moment ago supported the amendment of the gentleman from Louisiana, saying that the States should coordinate. I agree. We do have a section here which says the States will coordinate. The gentleman from Louisiana overlooked it. But I agree with the gentleman from Texas, but he is now saying that the Federal Government should not coordinate the activities of all the States. So it seems to me to be inconsistent to support the amendment which the gentleman from Louisiana offered and then to come in with the gentleman's amendment which strikes out coordination, requiring the public placement facility to be coordinated with the

job training function. There is a second thing I would like to point out and then I will yield to the gentleman.

The second thing I would like to point out is that the State employment security departments today are operating, many of them, job manpower programs. They are coordinating with the MDTA programs, they are coordinating with the OEO programs, and they are coordinating with the Department of Labor programs in many instances in my State, and I assume it is the same in the State of the gentleman. The coordination is good at the present time, and I see no reason why we should harm that coordination by requiring that they not coordinate, because, it seems to me, that is what the amendment of the gentleman will do.

Mr. PICKLE. The gentleman could not be more wrong by saying I am trying to do away with coordination. I say that is the very thing we need. I regret the amendment of the gentleman from Louisiana was not adopted. It was sorely needed.

When the State files under the Wagner-Peyser Act, it already submits a State plan. It operates an employment service by law.

Mr. MEEDS. But that State plan is not required to be coordinated with this, which would now be a new Manpower Training Act. Therefore we would dissemble the training end from the placement end.

Mr. PICKLE. What is sought to do by this law is to completely do away, in effect, with the Wagner-Peyser Act.

Mr. MEEDS. We are not asking to do away with the Wagner-Peyser Act.

Mr. PICKLE. Then take that part out.

Mr. MEEDS. They will continue to function. All we are asking is that they coordinate their activities with the manpower training activities. This is an essential request if we are to have a coordinated manpower program.

Mr. PICKLE. The State would like to coordinate the program. My employment service has asked for this permission, and wants to support it.

Mr. MEEDS. That is all we are asking that they do.

Mr. PICKLE. The interstate conference representatives of the various State employment agencies voted almost 50 to 1 to support this coordinated amendment, this particular amendment before us here. Every State except one or two has said by vote, and so notified your committee, that it would like to see these amendments added, and certainly this amendment with reference to the Wagner-Peyser Act.

Mr. MEEDS. There are many things with respect to which the State employment security people disagree about this bill, because they feel it is an invasion of their prerogatives.

All we ask them to do in this section—and the gentleman may have objection to other parts of the bill—is to coordinate the job-finding activities with the job-training activities.

Mr. PICKLE. If that is all the gentleman wanted, why did he not support this coordinated amendment offered awhile ago?

Mr. MEEDS. I point out, if the gentleman will look on page 16, he will find exactly what he was asking for. That is page 16, line 20.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. PICKLE).

The question was taken; and on a division (demanded by Mr. PICKLE) there were—ayes 33, noes 43.

So the amendment was rejected.

Mr. SCHEUER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I should like to continue with another brief question of clarification of the role of the elderly citizen under this act, and I should like to ask the question of the gentleman from Michigan.

I notice in section 104(b)(2) on page 14, line 7, where the suggested members of the Manpower Services Council are listed, there is no reference to organizations concerned with the problems of the elderly. Perhaps you could give us assurances that committees on aging in the States and community agencies dealing with older people and organizations representing older people in effect will be "included in."

Mr. O'HARA. I will say to the gentleman I would consider that organizations representing the elderly are within the purview of the language on line 9 of page 14, subsection (2), and therefore they could be included on the Manpower Services Advisory Council.

Mr. SCHEUER. I thank my colleague.

Now, on the question of technical assistance, a great deal of technical assistance on the national level has been found necessary to assist community action agencies in developing and formulating good programs not only for young people but for the elderly as well. Is it possible that the Department of Labor can provide this technical assistance, similar to that provided to new careers programs in the past, either directly or by contract to prime sponsors, thus assuring that they get the necessary help in planning, building, and administering programs for elderly persons?

Mr. O'HARA. Will the gentleman yield?

Mr. SCHEUER. I am glad to yield to the gentleman.

Mr. O'HARA. It would seem to me that under title IV, "Special Federal Responsibilities," it would be possible to provide technical assistance of the sort described by the gentleman from New York.

Mr. SCHEUER. One last question.

Title I, section 109, clause 7, says that a person shall not be referred to training in an occupation which required less than 2 weeks of preemployment training unless there are immediate employment opportunities available in that occupation. Under the present mainstream program great value has been placed on the flexibility to tailor jobs to train and employ special kinds of applicants, especially older persons. For those who have been unemployed for long periods of time, there is a therapeutic value in putting a short period of classroom training. Then they can be given both periodic classroom training and intensive on-the-job training by craftsmen or skilled professionals. I trust that this section would not mean that all such classroom training would have to be carried out during the first 2 weeks, and that it would mean that on-the-job training could be carried on after the initial 2-week period.

Mr. O'HARA. Certainly on-the-job training is training. When we talk about preemployment training we mean prefull employment. In other words, you could not consider the period of time you were in on-the-job training as being full employment. It would have to be counted as additional training. Therefore, I do not think the concern you have expressed is one that would prevent elderly workers from enjoying the proved benefits of continuing part-time on-the-job training after a short period of full-time job training.

Mr. SCHEUER. I thank my colleague.

Mr. Chairman, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. DENNIS

Mr. DENNIS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DENNIS: Page 25, line 14, after the semicolon at the end of line 14 insert "and that neither the program, the funds provided therefor, or the personnel employed therein, will be, in anyway or to any extent, engaged in the conduct of political activities, or in the support or furtherance of, or in opposition to, any political candidacy."

Renumber the following lines accordingly.

Mr. DENNIS. Mr. Chairman, this is a very simple and, I trust, a noncontroversial amendment which is in no wise in conflict with and, on the contrary, is completely in conformity with the thrust and purpose of the bill.

The bill as presented by the committee provides that the Secretary shall not provide financial assistance for any program under this title unless he determines that the program does not involve political activities, among other things. I simply add by this amendment to that language the words of the amendment so that the bill will read that the Secretary shall not provide financial assistance to any program unless he determines that the program does not involve political activities and that neither the program, the funds provided therefor, nor the personnel employed therein will be in any way or to any extent engaged in the conduct of political activities, or in the support or furtherance of or in opposition to any political candidacy. In other words, I simply underline and make more specific the rather general language now in the statute.

I think none of us wish to make these programs into political footballs. I am sure the committee does not wish to do so because they wrote the antipolitical activity provision into the bill. I am simply clarifying and strengthening and making more specific that provision.

Mr. Chairman, I think the amendment is a good one and I trust it will find acceptance on the part of all concerned.

Mr. DANIELS of New Jersey. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I agree that the amendment which has been offered by the gentleman from Indiana is a simple one but I believe the gentleman from Indiana has misconstrued the purpose and intent of this particular provision of the act. The section specifically reads that the Secretary shall not provide financial assistance for any program under this title unless he determines it is in accordance with such *regulations* as he shall prescribe and that the program does not involve political activity.

This is very, very clear. However, the proposed amendment goes quite far and says that anyone involved in any training program shall not engage in political activity. I, personally, feel that this represents an invasion of an individual's rights and would be unconstitutional.

Mr. DENNIS. Mr. Chairman, will the gentleman yield?

Mr. DANIELS of New Jersey. I am glad to yield to the gentleman from Indiana.

Mr. DENNIS. I do not agree that that is quite what this language means, if fairly interpreted.

I would suggest to the gentleman from New Jersey that it simply means that personnel engaged in these programs with this money shall not engage in political activities as a part of their activities while in that program and while using this money. Certainly, that is the intention of the amendment. I think that is what it says.

Mr. DANIELS of New Jersey. Might I respond by saying that I do not believe the gentleman's amendment reads that way. The gentleman's amendment says, following the language of subparagraph (4) following the wording contained in the bill, "The program does not involve political activities;", that neither the program, the funds provided therefor or the personnel employed therein will be in any way or to any extent engaged in the conduct of political activity and in that respect I believe it to be unconstitutional because of its invasion of an individual's rights to participate in political activities.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. DANIELS of New Jersey. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Would it be fair to say that funds and programs under this act would be covered insofar as employees are concerned by the Hatch Act?

Mr. DANIELS of New Jersey. Absolutely.

Mr. STEIGER of Wisconsin. And would it not also be fair to suggest that this language contained in the Dennis amendment may, in fact, in spite of the Hatch Act, represent a limitation upon the Hatch Act or upon that which is present law?

Mr. DANIELS of New Jersey. It may be. However, I do not know all of the specific terms of the Hatch Act.

Mr. STEIGER of Wisconsin. Mr. Chairman, I would concur with the gentleman from New Jersey that the amendment can be mischievous because there are very few of us who really know the full coverage of the Hatch Act and I do not want to go beyond the Hatch Act. I am sure that the employees covered under this bill are covered by the Hatch Act and that is the way they ought to be.

Mr. DENNIS. Mr. Chairman, will the gentleman yield?

Mr. DANIELS of New Jersey. Yes; I yield further to the gentleman from Indiana.

Mr. DENNIS. I am not satisfied that the employees referred to here in these programs would be covered by the Hatch Act, although I do not have the detailed terms of the Hatch Act in mind.

But I say again that the primary thrust of this proposed amendment, when fairly interpreted, involves this program and these people while in their capacity as engaged in this program. There is no intention here and, of course, you could not write a bill which said that someone engaged in this program could not engage in any political activity. However, you can say he cannot engage in political activity as a part of this program, and that is all I am doing and all that I seek to accomplish.

Mr. DANIELS of New Jersey. The act already says that the program does not involve political activity and we included a semicolon at that point and that is as far as the committee desires to go.

Therefore, Mr. Chairman, I oppose the amendment.

Mr. KAZEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I only ask for this time in order to ask the gentleman this question: Is it the gentleman's understanding that all employees under these programs come under the Hatch Act?

Are all the employees, all of the people that are paid with Federal funds for these programs, do they come under the Hatch Act? I understood the gentleman to say they did, and I would like to have that statement clarified.

Mr. DANIELS of New Jersey. I believe that those people who are engaged in running and administering the program, as supervisors, are covered by the Hatch Act, but I do not believe that any trainee would be so involved.

Mr. KAZEN. I was asking about those employees that receive Federal money under these training programs regardless of what capacity they serve in, as long as they are paid with funds that are earmarked for these programs. Is it my understanding that you are telling us now that they fall within the Hatch Act?

Mr. DANIELS of New Jersey. I say the trainees would not come under the Hatch Act, but the personnel administering the programs would come under the Hatch Act.

Mrs. GREEN of Oregon. Mr. Chairman, if the gentleman will yield, I would just like to raise a question in view of what my good friend, the chairman of the subcommittee, has said, because the director of one of the grandparent programs in my county is the full-time Democratic county chairman——

Mr. DANIELS of New Jersey. Has the gentlewoman brought that to the attention of the proper officials?

Mrs. GREEN of Oregon. I brought it to the attention of the committee. I pointed out to the OEO and to my Democratic friends that it would be perfectly possible if anybody wanted, in a Republican administration, to place every single county Republican chairman on the public payroll. There would be no violation of the law, they ruled.

I would also like to say to my distinguished Democratic colleagues that they really ought to look at this bill, because they were not nearly as charitable to the Nixon administration 2 weeks ago as they are now, because this could turn into the biggest political operation that this Congress has ever seen. The public employment title has absolutely no safeguards as are required in the other Federal employment program, the civil service program.

Mr. KAZEN. Mr. Chairman, since this debate has taken the turn that it has, I do not see why the committee would object to this amendment. It would just make sure that no political activities are engaged in by any employees of these programs. I want to make sure that those employed in these programs can be good, full-time employees who would devote all of their time, talents, and energies to these manpower training programs in order to help people who are trying to learn a trade or a vocation in order to be able to support themselves and their families.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. DENNIS).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE II—OCCUPATIONAL UPGRADING

AUTHORIZATION OF PROGRAM

SEC. 201. The Secretary shall carry out a program under which public and private employers will undertake to provide the necessary education and skill training to prepare employees for positions of greater skill, responsibility, and remuneration in the employ of such employers. Financial assistance under this title may be provided by the Secretary pursuant to an application submitted by eligible applicants who shall be—

(a) prime sponsors designated pursuant to the provisions of title I of this Act; and

(b) other public and private employers.

REQUIREMENTS FOR APPLICATIONS

SEC. 202. Any application must contain assurances satisfactory to the Secretary that—

(a) the positions for which employees will be trained are positions that cannot with reasonable effort be filled by the employer with unemployed or underemployed workers already possessing such skills and willing to accept such employment;

(b) the selection of trainees shall be based upon merit, ability, and length of service, and that no person shall be selected as a trainee until such person has been in the employ of the employer for a period of not less than six months;

(c) the training content of the program is adequate, involves reasonable progression, and will result in the qualification of trainees for suitable employment in a recognized skill or occupation in the service of that employer and of other employers in the same industry;

(d) the training period is reasonable and consistent with periods customarily required for comparable training;

(e) adequate and safe facilities and adequate personnel and records of attendance and progress are provided;

(f) successful completion of the employee's training program can reasonably be expected to result in an offer of employment in the employer's own enterprise in the occupation

for which he will be trained at wage rates not less than those prevailing for the same or similar occupations in that industry;

(g) the training and placement of such employees is part of a program that can reasonably be expected to lead directly to the employment of an equivalent number of new employees in entry level employment; and

(h) the trainees are compensated by the employer at such rates, including periodic increases, as may be deemed reasonable under regulations hereinafter authorized, considering such factors as industry practice and trainee proficiency, and that in no event shall the wages or employment benefits of any trainee be less than those received by him immediately before his starting such training program.

PAYMENTS TO EMPLOYERS

SEC. 203. Such agreements shall provide for payment to the employer undertaking a training program under this title in an amount equal to—

(a) ninety per centum of the instructional expense, other ordinary and necessary training costs, and trainee wage payments for the time spent in training less the value of productive services rendered by such trainee, plus

(b) a bonus payment to reward the efforts of employers whose programs under this title have resulted in substantial upgrading and high retention, to be computed as follows:

(1) at the end of the first twelve months following the completion of a program authorized under this title, 20 per centum of the sum arrived at by multiplying the number of employees upgraded under such program by the average increase in annual earnings of these upgraded employees; and

(2) at the end of the second twelve months following the completion of a program authorized under this title, 10 per centum of the sum arrived at by multiplying the number of employees upgraded under such program by the average increase in annual earnings of these upgraded employees.

Mr. PERKINS (during the reading). Mr. Chairman, I ask unanimous consent that title II be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. Are there any amendments to title II?

(Mr. BENNETT asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. BENNETT. Mr. Chairman, the thrust of the bill we are considering, H.R. 19519, the Comprehensive Manpower Act of 1970, is a positive step toward the important goal of giving every American the special training he needs to pursue the vocation his talent and abilities demand. The bill may need some amendments; but its objectives are surely proper ones.

I became particularly aware of this problem in a narrow area when I learned of the high degree of recidivism among inmates of our prison systems, that is, the high number of ex-convicts who return to prison for committing new crimes. It is a sad fact today that at least 40 percent of all offenders eventually return to prison. This indicates that there are some very serious defects in our criminal rehabilitation system. The answer to this problem could be comprehensive manpower training for prisoners so that when they are released, they will be able to pursue useful and constructive lives, and will not be tempted to return to a life of crime.

On the first day of the 91st Congress, I introduced H.R. 947, to provide for programs of job training and education of inmates of correctional institutions.

I first introduced this legislation in the 89th Congress, in 1966, and appeared before the committee, accompanied by expert witnesses in the field of corrections who endorsed my bill. The committee included in the amendments to the Manpower Development and Training Act that year an experimental program of education and training for inmates, and I am deeply grateful for this positive action by the committee. Over the last 3 years the Department of Labor's limited program under section 251 of the Manpower Development and Training Act of 1962 has accomplished much. There have been 37 projects in 29 States training over 2,000 inmates at a low cost of $1,300 to $1,400 per inmate. The program expired June 30, 1970, and has never had direct funding. Thus far, only about $7½ million has been spent. One of these pilot projects was at Apalachee Correctional Institutions, Chattahoochee, Fla., in my home State, where 240 inmates were included in the program. I understand that the results of these programs have been encouraging.

I am pleased to note that under H.R. 19519 such programs may be established. I believe this will accomplish much toward reducing the very disturbing and shocking rate of recidivism in our prisons, and the rising crime rate which costs the United States $27 billion annually.

Another aspect of this legislation which reflects the purpose of legislation I have previously introduced is provision for public employment where private employment is not available. Too many of our training programs have erroneously assumed that private enterprise can always absorb all of those trained. This has not always occurred; and the governmental approach is therefore needed if we are to try to provide a society in which all our adult citizens have a reasonable chance to work to support themselves, as an alternative to being unproductively on welfare rolls.

I congratulate the chairman and the distinguished members of the Education and Labor Committee for their work on this legislation.

The CHAIRMAN. If there are no amendments to title II, the Clerk will read.

The Clerk read as follows:

TITLE III—PUBLIC SERVICE EMPLOYMENT

AUTHORIZATION OF PROGRAM

SEC. 301. The Secretary shall carry out a program under which Federal, State, and local governments will provide useful public service employment to unemployed persons. Financial assistance under this title may be provided by the Secretary only pursuant to an application submitted by an eligible applicant, who shall be—

(a) prime sponsors designated pursuant to the provisions of title I of this Act; and

(b) other public agencies and institutions (including public service agencies and institutions of the Federal Government).

REQUIREMENTS FOR APPLICATION

SEC. 302. Any application for financial assistance under this title shall provide that—

(a) all persons employed thereunder, other than necessary technical, supervisory, and administrative personnel, will be selected from among eligible unemployed persons;

(b) to the maximum extent possible, technical, supervisory, and administrative personnel shall be recruited from among fully qualified, eligible unemployed persons;

(c) among eligible unemployed special consideration for employment shall be given to heads of households who are not covered by, or who have exhausted their entitlement to unempolyment compensation;

(d) persons employed under such agreements shall be paid wages which shall not be lower than whichever is the highest of (A) the minimum wage which would be applicable to the employment under the Fair Labor Standards Act of 1938, as amended, if section 6(a)(1) of such Act applied to the participant and if he were not exempt under section 13 thereof, (B) the State or local minimum wage for the most nearly comparable covered employment, or (C) the prevailing rates of pay in the same labor market area for persons employed in similar public occupations:

(e) all persons employed under such agreements will be assured of workman's compensation, retirement, health insurance, unemployment insurance, and other benefits at the same levels and to the same extent as other employees of the employer and to working conditions and promotional opportunities neither more nor less favorable than such other employees enjoy;

(f) the provisions of section 2(a)(3) of Public Law 89-286 shall apply to such agreements;

(g) the applicant shall maintain or provide linkages with upgrading and other programs under this Act, and other Federal or federally supported manpower programs for the purpose of:

(1) providing those persons employed under the agreement who want to pursue work with the employer, or in the same or similar work as that performed under the agreement with opportunities to do so and to find permanent, upwardly mobile careers in that field; and

(2) providing those persons so employed who do not wish to pursue permanent careers in such field, with opportunities to seek, prepare themselves for, and obtain work in other fields;

(h) objectives shall be set for the movement of persons employed thereunder into public or private employment not supported under this Act; and

(i) the approvable request for funds does not exceed 80 per centum of the cost of carrying out this program: *Provided*, That, if the employer has not achieved the objectives prescribed pursuant to clause (h) under any agreement, the Secretary shall reduce the Federal share in any continuation or extension of the agreement, unless the Secretary ascertains that the applicant was without fault or that economic conditions in the area precluded accomplishment of such objectives.

INFORMATION FOR EMPLOYEES

SEC. 303. Every person employed under agreements under section 301 shall be advised, prior to entering upon employment, of his rights and benefits in connection with such employment.

ENTITLEMENT TO EMPLOYEE BENEFITS AND PROTECTION

SEC. 304. No agreement shall be entered into under section 301 with an employer who is, or whose employees are, under State law, exempted from the operation of the State

workmen's compensation or unemployment compensation laws, generally applicable to employees, unless the contractor shall undertake to provide either through insurance by a recognized carrier, or by self-insurance, as allowed by State law, that the person employed under the agreement shall enjoy workmen's compensation and unemployment compensation coverage equal to that provided by law for covered employment.

MAINTENANCE OF EFFORT

SEC. 305. (a) No financial assistance contract shall be provided under section 301 unless the Secretary determines that the execution of the agreement will result in an increase in employment opportunities over those which would otherwise be available and that it will not result in a reduction in the employment and labor costs of the employer or the displacement of persons currently employed, including partial displacement resulting from a reduction in hours of work or wages or employment benefits.

(b) Where a labor organization represents employees who are engaged in similar work to that performed under the agreement in the same labor market area, such organization shall be notified prior to entering into the agreement.

EVALUATION OF APPLICATIONS

SEC. 306. In evaluating applications submitted under this title the Secretary shall consider the cost to the Government of each such application in relation to—

(1) the number of eligible unemployed persons who will be provided with employment under the application;

(2) the need of the community for the services to be performed under the application; and

(3) the nature and extent of the unemployment in the community in which the agreement is to be performed.

OBLIGATIONS OF THE SECRETARY TO ENROLLEES

SEC. 307. The Secretary shall on behalf of the enrollees be responsible for—

(1) assuring that every reasonable opportunity to find suitable regular employment or to enter a program authorized under Federal, State, or local manpower programs, has been explored before the individual is certified for public service employment;

(2) the provision of skills training to the extent necessary to equip unemployed persons to accept employment under agreements entered into under this title; and

(3) maintaining a continuing review of the status of each enrollee to assure that he is receiving consideration for referral to suitable regular employment or to manpower training programs.

DEFINITIONS

SEC. 308. For purposes of this Act—

(1) The term "eligible unemployed person" means any individual who has demonstrated that he is able and willing to work and (A) has been unemployed for five or more weeks, or (B) is employed on a part-time basis.

(2) The term "part-time basis" means less than thirty-five hours a week for a continuous period of ten weeks or more.

Mr. PERKINS (during the reading). Mr. Chairman, I ask unanimous consent that title III be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

The committee amendment: Page 32, beginning in line 21, strike out "heads of households" and insert in lieu thereof "persons who have dependents living in the same household".

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. SCHERLE

Mr. SCHERLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCHERLE: Beginning with line 21 on page 31, strike out everything down through line 15 on page 37; and on

Page 3, strike out lines 17 through 24, and redesignate subsections (h) and (i) as subsections (g) and (h), respectively; and

Beginning in line 25 of page 4, strike out "employed in public service jobs authorized in title III,"; and on

Page 18, beginning in line 12, strike out "I, II, and III" and insert "and II"; and on

Page 18, line 14, strike out "604" and insert "404"; and

Redesignate sections 401 through 431 as sections 301 through 331, respectively; and on

Page 37, line 16, strike out "TITLE IV" and insert "TITLE III"; and on

Page 46, line 17, strike out "412" and insert "312"; and

Redesignate sections 501 through 525 as sections 401 through 425, respectively; and on

Page 51, line 6, strike out "TITLE V" and insert "TITLE IV"; and on

Page 52, beginning on line 5, strike out "I, II, and III" and insert "I and II"; and on

Page 52, line 8, strike out "IV" and insert "III"; and

Beginning with the colon in line 16 on page 52, strike out everything down through "Act" in line 20; and on

Page 53, line 19, strike out "I, II, and III" and insert "I and II"; and on

Page 54, beginning in line 22, strike out "I, II, and III" and insert "I and II"; and on

Page 66, in lines 19 and 22, strike out "IV" and insert "III"; and on

Page 70, line 4, strike out "IV" and insert "III".

Mr. PERKINS (during the reading of the amendment). Mr. Chairman, I ask unanimous consent that the further reading of the amendment be dispensed with. If I understand the gentleman's amendment, he undertakes to strike the whole of title III?

Mr. SCHERLE. Yes.

Mr. Chairman, I offer the amendments en bloc because they are technical and conforming amendments that are required if the amendment to strike title III prevails.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SCHERLE. Mr. Chairman and Members of the House, we now come to the heart of the bill, title III. The question is simple and the decision should be just as simple.

Do you want to spend $1.5 billion for the deserving poor or do you want to waste it on a duplicate program operating within the same agency? That is the question we are faced with now.

Mr. Chairman, my amendment would remove title III—the so-called public service employment title—from this bill.

Let me make one thing clear. This special title serves no purpose—there is ample authority in this bill to train people for real jobs in public agencies. Section 102(a), in paragraphs (5), (8), (11), (12), and (19), contains all the authority needed to conduct any kind of job training program in the public sector.

For example, paragraph (5) authorizes "short-term work experience with public and nonprofit agencies for those unaccustomed to the discipline of work."

Paragraph (8) authorizes "on-the-job training provided by public, nonprofit, and private employers."

Paragraph (11) authorizes "special programs for jobs in public and private agencies leading to career opportunities, including new types of careers," in a wide variety of public programs in such fields as health, education, welfare, pollution control, beautification, et cetera.

Paragraph (12) authorizes "programs to provide incentives to private employers, nonprofit organizations, and public employers to train or employ unemployed or low income persons" and to pay recruitment, training, and counseling costs.

Finally, paragraph (19) authorizes special programs of public works for people who are chronically unemployed, have poor employment prospects, and are unable to secure training under other programs.

One may well ask, then, "Why is title III in this bill?"

The answer, Mr. Chairman, is quite simple but very difficult to understand. Title III requires that the Federal Government over the next 3 years must spend a minimum of $1.4 billion to create jobs in public agencies. This is not sound policy; it is not manpower training. It is a vast new program where the Federal Government acts as an "employer of first resort" and not of last resort. It is contrary to every purpose of this bill.

This bill started out as one which would eliminate narrow categories of training programs, so that job training would be flexible enough to meet local and regional needs. The bill without the public employment sector allows this. It consolidates a whole group of special programs under one broad authority.

I repeat—it consolidates programs but does not eliminate them nor does it abolish them. Then title III is added and we are right back to a mandatory program—nearly 20 percent of the funds on a national basis must be spent for so-called public service employment.

The experience with public employment projects has not been good—certainly not good enough to merit this special, mandatory spending title. The so-called work experience program under OEO, for example, was dropped completely by 1968 because it did not produce results. A noted manpower expert such as Sar Levitan—who is hardly a conservative Republican—has been very critical of public service employment programs. Recently he said:

> Many public employment projects were merely stopgap measures, with few permanently beneficial effects and even questionable impact at the time.

Mr. Levitan went on to describe such jobs as "hardly equal to manpower serv-

ices with a longrun payoff." This is not the answer to unemployment and underemployment in America.

We are not talking about swallowing a single bite but a whole banquet of federally subsidized makework. The bill for this banquet will be sent to already overburdened taxpayers. There is only one way to hold this bill to its proper role of manpower training for honest jobs—and that is to eliminate title III from this bill.

There is not a single Member of this body who sincerely believes that new programs are not expensive, particularly those that overlap and, ladies and gentlemen, this one does. Would you not rather spend $1.5 billion, the cost of this new bureaucratic, duplicative, overlapping program, for the deserving poor rather than finance duplicate administration for duplicate programs? As I said earlier, there are now 11 programs existing that serve all the purposes that we need. They will not be eliminated. I urge adoption of the amendment.

Mr. PERKINS. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Kentucky is recognized.

Mr. PERKINS. Mr. Chairman, to my way of thinking, this is the most important part of the bill. In title III we are trying to do something about rising unemployment in this country, and we are trying to do something about inadequate public service. I personally feel that the 18¾ percent of the funds appropriated should be the minimum expended for title III, public service employment.

We have had some experience with this section. The mainstream workers throughout the South and in the ghetto areas of this country have been comprised mostly of the elderly. Here we take into consideration the youths, the middle aged, and adults of all ages for public service employment. It has been estimated that we have about 12 million government employees; that is, the States have about 10 million and the Federal Government 2½ million. We need to render proper service to the people in America today by employment of an additiona' 500,000 public service employees—in the hospitals, in the parks, in the city halls, in the county governments, in rebuilding roads that would otherwise not be repaired. Here we undertake to do something for 100,000 of those people. Certainly with people being automated out of work and with the high rate of unemployment, I personally feel we would be derelict and irresponsible if we struck this title from the bill.

Mr. DANIELS of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the distinguished gentleman from New Jersey.

Mr. DANIELS of New Jersey. Mr. Chairman, I wish to associate myself with the remarks of the distinguished Chairman. I would like to point out that I have in my hand a news release issued by the U.S. Department of Labor dated Friday, November 6, 1970, which contains the latest figures of the Department with reference to our unemployment situation in America. Out of a total civilian work force of over 83 million Americans, the rate of unemployment, seasonably adjusted, is now 5.6 percent. The total number of unemployed, seasonably adjusted, is 4,700,000 persons. In view of the fact that over the past several months the employment situation in this country has gradually deteriorated, and that there are presently almost 5 million people unemployed, it is necessary for the Federal Government to take the leadership and the innovation to provide jobs, particularly where they may be furnished.

One of the avenues where employment is needed very, very badly and where the employer cannot afford to furnish such employment is in public service. Many of our States, many of our counties, many of our local governments need necessary help. They need to place people in jobs to benefit the communities and the State, but because of the lack of necessary financies, they are unable to furnish the necessary jobs. This program under title III will enable the States and the local authorities to fulfill these needs.

Mr. PERKINS. Mr. Chairman, I thank the distinguished chairman of the subcommittee.

I yield now to the distinguished gentleman from Illinois (Mr. PUCINSKI).

Mr. PUCINSKI. Mr. Chairman, I associate myself with the remarks by the gentleman from New Jersey (Mr. DANIELS).

I would like to point out that 27 percent of the unemployed are between the ages of 16 and 19. The young people would be helped by this legislation. There just is no visible help for those young people except for a bill like this. When we consider that 27 percent, better than a quarter of those unemployed in America, are between the ages of 16 and 19, we know why we have problems in this country.

Mr. WAGGONNER. Will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Louisiana (Mr. WAGGONNER).

Mr. WAGGONNER. Mr. Chairman, under title III, the employment section, I believe the bill specifies that the Federal Government will pay 80 percent of the employment costs of the individuals. Is that correct?

Mr. PERKINS. That is correct.

Mr. WAGGONNER. Then the local agency which sponsors the manpower program would pay the remaining part of it.

Mr. PERKINS. That is correct.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

(On request of Mr. WAGGONNER, and by unanimous consent, Mr. PERKINS was allowed to proceed for 2 additional minutes.)

Mr. WAGGONNER. Mr. Chairman, if the gentleman will yield further, in the instance of a community action agency being the prime sponsor, could the community action agency provide the 20 percent from appropriated funds furnished by Congress or would it be required to raise the money in addition to the appropriated funds?

Mr. PERKINS. There is no exception made for any community action agency. It will operate in the same way any other prime sponsor would operate, and the 20 percent would have to be paid.

Mr. WAGGONNER. It would have to be paid, but by whom? Must they raise that money locally?

Mr. PERKINS. They would raise it locally.

Mr. PUCINSKI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to this amendment. I take this time to ask my colleague, the gentleman from Michigan, a question about this particular title. In the bill adopted by the other body there are provisions which specifically provide funds and authorization for funding opportunities industrialization centers. In our bill the language is much broader, and it does not specifically identify programs such as the opportunities industrialization centers. I want to make some legislative history today.

I cite from the report on page 6 that—

> The language in section 102(a)(20) of the bill is intended to authorize the continuation of Opportunities Industrialization Centers, which have been so highly successful.

I want to ask the gentleman from Michigan, one of the prime sponsors of this bill, if indeed programs such as the opportunities industrialization centers will be protected adequately by the broad language of the present bill and will they be continued?

Mr. O'HARA. Mr. Chairman, if the gentleman will yield, I would like to say that certainly they will be protected under section 102(a)(20) to which the gentleman has referred. As a matter of fact, I think there is practically a unanimous feeling of the committee that the OIC's have been doing an excellent job and ought to be continued.

Mr. PUCINSKI. Mr. Chairman, I thank the gentleman.

Mr. STEIGER of Wisconsin. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I believe it ought to be quite clear that this bill is a finely balanced effort to reach some agreement as to what needs to be done in the manpower field. It involves really three things.

On one hand it involves the question of decentralization and decategorization that is encompassed in title I, essentially. Second, it involves an upgrading feature that is found in title II. Last, it involves the feature found in title II proposed to be struck by the Scherle amendment for a public service employment concept within this legislation.

I believe it is important that all of us on both sides of the aisle understand that there is, from my standpoint, at least, a real argument that we do have to go through about exactly what we talk about when we discuss public service employment.

I said earlier in the general debate that this is not a section devoted to putting the Federal Government as an employer of last resort. It is not a massive program, and it is not without its limitations.

As a matter of fact, in a letter from the Chamber of Commerce of the United States dated October 12, 1970, they said, and I quote:

We are gratified to note that the bill contains recommendations that the National Chamber made to your Committee in our testimony on April 29 and again in our letter of September 28, 1970:

* * * * *

The public service employment program in the House bill is of sufficient size to cope with the current needs in the public sector, and yet is reasonably limited to permit proper administration.

I placed in the RECORD some time ago the letter from the AFL–CIO. In that letter they supported this bill and said, among other things:

With national unemployment continuing to climb, this bipartisan bill, with its job-creating provisions as well as its reform of present Federal manpower programs, is urgently needed.

Let me be honest. One of the things we have gone through under our present programs, under the Johnson administration, was the so-called JOBS program, job opportunities in the business sector. The JOBS program was not even specifically authorized by the Congress, but they found sufficient authority to go ahead with it.

One of the things in that JOBS program was the concept of the Federal Government paying the training costs of employees in the private sector. Many people, Republicans and Democrats alike, including the Nixon administration, supported the JOBS idea.

I will have to say, in all honesty, I do not believe one can have it both ways. One cannot on the one hand support the JOBS concept of the Federal Government helping to pay the training cost in the private sector and then not turn around and recognize the same argument can be used for the public sector.

That is what title III is all about. It is taking the resources of the Federal Government on an 80 to 20 matching basis and making them available to the local communities and saying, "We believe there are needy jobs in the public sector as there were in the private sector under JOBS for people unemployed or underemployed."

Therefore, I believe this provision is important and this amendment should be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. SCHERLE).

The question was taken; and on a division (demanded by Mr. SCHERLE) there were—ayes 31, noes 69.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. STEIGER OF WISCONSIN

Mr. STEIGER of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STEIGER of Wisconsin: On page 35, lines 1–13, strike SEC. 304 and renumber sections 305 to 308 inclusive, as sections 304 to 307, respectively.

(Mr. STEIGER of Wisconsin asked and was given permission to revise and extend his remarks.)

Mr. PERKINS. Mr. Chairman, will the distinguished gentleman yield to me?

Mr. STEIGER of Wisconsin. I am happy to yield to the chairman of the committee.

Mr. PERKINS. Mr. Chairman, we accept this amendment because we want the public service employment section to apply universally everywhere.

Mr. STEIGER of Wisconsin. I thank the chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The amendment was agreed to.

The CHAIRMAN. Are there any further amendments to title III?

AMENDMENT OFFERED BY MR. DENNIS

Mr. DENNIS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DENNIS: Page 33, line 11, strike out lines 11 through 17, inclusive.

Mr. DENNIS. Mr. Chairman, this amendment simply strikes from the bill the following language which applies to the public service jobs we have just been discussing under the previous amendment here to title III. This language is stricken by this amendment:

(e) all persons employed under such agreements will be assured of workman's compensation, retirement, health insurance, unemployment insurance, and other benefits at the same levels and to the same extent as other employees of the employer—

That is, of the governmental unit—

and to working conditions and promotional opportunities neither more nor less favorable than such other employees enjoy;

I do not find too much difficulty in accepting the idea of public employment as an emergency measure in the case of an economic depression. Maybe even the more extensive type, certainly much more extensive, provided by this bill would be more acceptable if it were amended so as to do what the committee suggests they are trying to do. They say here in the bill that the objective here shall be for the movement of persons employed on the public service jobs into public or private employment not supported by this act.

I think that is a worthy objective, if you are going to have public service employment, to make it a temporary thing and move these people out into other employment not supported by this act. I do not see how you are going to do it, though, if you give them a permanent home with all of the fringe benefits—not only the same wages but all of the fringe benefits—including even retirement—that you give to regular governmental employees. Why should a man who gets one of these jobs ever move off? There is no time limit in this bill. There is nothing that says he has to get off it once he has it. Here you are going to give him a permanent Government job, just like any other Government job, with all of the insurance benefits and retirement after he is age 65. Very likely he is a fellow who could never have gotten such a job in the first place if it were not for this program here. I say that if you are really trying to do something for a temporary unemployment situation and if you are really trying to move these people out of this program and into private employment, you have to take this kind of language out of the bill or you are never going to move them. You are just building a permanent Government employment setup here at the expense of the taxpayer.

Mr. Chairman, that is the purpose of my amendment.

Mr O'HARA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment.

It is not the intention of the committee to create second-class jobs. It is the intention of the committee that when a man is employed in public service employment and is working doing the very same work, at the very same hours and very same place as the man next to him, that he should receive the same pay and fringe benefits. That is all we intend to say; that he should not be treated better or worse but that he certainly should be treated the same as the fellow worker next to him. In my opinion that is a fair principle. Therefore, I urge defeat of the amendment.

Mr. DENNIS. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Indiana.

Mr. DENNIS. I would like to point out that I have not attempted to touch the same rate of pay in this amendment. I am just talking about these fringe benefits such as retirement and things of that kind.

Mr. O'HARA. I appreciate that, but I want to say that fringe benefits are a part of pay and you are not providing equal pay if you do not provide equal fringe benefits as well as equal wage rates.

Mr. LANDGREBE. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Indiana.

Mr. LANDGREBE. Mr. Chairman, I wish to subscribe to the comments made by my distinguished colleague, the gentleman from Indiana (Mr. DENNIS), and to heartily endorse his comments.

Mr. Chairman, I urge all Members of this Congress to vote for this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. DENNIS).

The question was taken; and on a division (demanded by Mr. DENNIS) there were—ayes 32, noes 56.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. DENNIS

Mr. DENNIS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DENNIS: Page 34, line 17, place a period, instead of a comma, at the end of line 17, and strike out lines 18, 19, and 20 in their entirety.

Mr. DENNIS. Mr. Chairman, this is a very simple amendment and it does just this: The bill says, the committee bill says, that, in any of these plans for public employment, objectives shall be set for the movement of persons employed there

under into public or private employment not supported under this act. It does not say how you would set the objectives or what they are. But it says one thing. It says if they do not move these persons into public or private employment not supported under the act, then the Secretary shall reduce the Federal share in any continuation or extension of the agreement. That is the only penalty provided for not moving them.

Then, the bill proceeds to nullify that by saying that the Secretary shall reduce the Federal share unless he ascertains that the applicant was without fault or that economic conditions precluded the accomplishment of the objectives.

No standards are set by which the Secretary shall be guided. So, in effect, he does not have to reduce the Federal share because the governmental employer does not, in fact, move these people out into private employment; because the Secretary can decide in his own mind, by his own standard, without any guidance, that the situation is excused and that, therefore, it should not be done.

All I am doing is taking that option away from him by striking these three lines, and saying that if the program does not in fact move these people into some other employment, then the Secretary must indeed reduce the Federal support. That is the way to get the thing accomplished, the thing which the committee says it is trying to do; and anybody knows it will not in fact do this, the way the bill is now drawn. Therefore, I think this is a good amendment and I urge its adoption.

Mr. STEIGER of Wisconsin. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment offered by the distinguished and able gentleman from Indiana would, I think, be a serious mistake. The reason I say that is because the concept here of the language of the committee report and the language of the bill is intended to insure that there is movement between those on public service employment off of public service employment rolls and into either the upgraded section or, under title I, the training and retraining section, to any place in other private sectors. What the amendment offered by the gentleman from Indiana would do would take away from the Secretary of Labor any ability to be flexible and it would do great harm to local communities which were without available work and found themselves in an economic condition that precluded the accomplishment of the objective of getting people off of public service employment.

What, I think, it would end up doing would be to create real hardships on those communities who through no fault of their own may be in a situation to have to terminate a program even though the real need, because of the economic conditions, continued to exist. I think the amendment would be a mistake. I urge that the amendment be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. DENNIS).

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE IV—SPECIAL FEDERAL RESPONSIBILITIES

PART A—MANPOWER RESEARCH AND DEVELOPMENT

RESEARCH AND DEVELOPMENT

SEC. 401. (a) To assist the Nation in expanding work opportunities and assuring access to those opportunities for all who desire it, the Secretary shall establish a comprehensive program of manpower research utilizing the methods, techniques, and knowledge of the behavioral and social sciences and such other methods, techniques, and knowledge as will aid in the solution of the Nation's manpower problems. This program will include, but not be limited to, studies, the findings of which may contribute to the formation of manpower policy; development or improvement of manpower programs; increased knowledge about labor market processes; reduction of unemployment and its relationships to price stability promotion of more effective manpower development, training, and utilization; improved national, regional, and local means of measuring future labor demand and supply; enhancement of job opportunities; upgrading of skills; meeting of manpower shortages; easing of the transition from school to work, from one job to another, and from work to retirement, opportunities and services for older persons who desire to enter or reenter the labor force, and for improvements of opportunities for employment and advancement through the reduction of discrimination and disadvantage arising from poverty ignorance, or prejudice.

(b) The Secretary shall establish a program of experimental, developmental, demonstration, and pilot projects, through grants to or contracts with public or private nonprofit organizations, or through contracts with other private organizations, for the purpose of improving techniques and demonstrating the effectiveness of specialized methods in meeting the manpower, employment, and training problems. In carrying out this subsection with respect to programs designed to provide employment and training opportunities for low-income people, the Secretary shall consult fully with the Director of the Office of Economic Opportunity. In carrying out this subsection the Secretary of Labor shall, where appropriate, also consult with the Secretaries of Health, Education, and Welfare, Commerce, Agriculture, and Housing and Urban Development, the Chairman of the Civil Service Commission, and such other agencies as may be appropriate. Where programs under this paragraph require institutional training, appropriate arrangements for such training shall be agreed to by the Secretary of Labor and the Secretary of Health, Education, and Welfare.

(c) The Secretary shall conduct such research and investigations as give promise of furthering the objectives of this Act either directly or through grants, contracts, or other arrangements.

LABOR MARKET INFORMATION

SEC. 402. (a) The Secretary of Labor shall develop a comprehensive system of labor market information on a National, State, local, or other appropriate basis, including but not limited to information regarding—

(1) the nature and extent of impediments to the maximum development of individual employment potential including the number and characteristics of all persons requiring manpower services;

(2) job opportunities and skill requirements;

(3) labor supply in various skills;

(4) occupational outlook and employment trends in various occupations; and

(5) in cooperation and after consultation with the Secretary of Commerce, economic and business development and location trends.

(b) Information collected under this section shall be developed and made available in a timely fashion to meet in a comprehensive manner the needs of public and private users, including the need for such information in recruitment, counseling, education, training, placement, job development, and other appropriate activities under this Act and under the Economic Opportunity Act, the Social Security Act, the Public Works and Economic Development Act of 1965, the Wagner-Peyser Act, the Vocational Education Act of 1963, the Vocational Rehabilitation Act, the Demonstration Cities and Metropolitan Development Act of 1966, and other relevant Federal statutes.

MANPOWER UTILIZATION

SEC. 403. (a) The Secretary shall establish a program for the improvement of manpower utilization in sectors of the economy experiencing persistent manpower shortages, or in other situations requiring maximum utilization of existing manpower. The Secretary shall conduct this program either directly or through such other arrangements as he may deem appropriate.

(b) The Secretary is authorized to provide financial support for studies of the utilization of manpower and of job design by any employer or group of employers in industries where there are a large number of unskilled employees, with a view to redesigning and rearranging the work patterns involved in the jobs, so that career ladders may be created where they do not exist, or are clearly inadequate.

EVALUATION

SEC. 404. (a) The Secretary shall provide for a system of continuing evaluation of all programs and activities conducted pursuant to this Act, including their cost in relation to their effectiveness in achieving stated goals, their impact on communities and participants, their implication for related programs, the extent to which they meet the needs of persons of various ages, and the adequacy of their mechanism for the delivery of services. He shall also arrange for obtaining the opinions of participants about the strengths and weaknesses of the programs.

(b) The Director of the Office of Economic Opportunity is authorized to conduct, either directly or by way of contract, grant, or other arrangement, a thorough evaluation of all programs and activities conducted pursuant to this Act to determine the effectiveness of such programs and activities in meeting the special needs of disadvantaged, chronically unemployed, and low-income persons for meaningful employment opportunities and supportive services to continue or resume their education and employment and to become more responsible and productive citizens. The Director of the Office of Economic Opportunity shall report to the Secretary on the evaluation authorized by this subsection at least once in each calendar year.

REMOVAL OF ARTIFICIAL BARRIERS TO EMPLOYMENT AND ADVANCEMENT

SEC. 405. The Secretary, in consultation with the Director of the Office of Economic Opportunity, shall conduct a continuing study of the extent to which artificial barriers to employment and occupation advancement, including civil service requirements and practices relating thereto, within agencies conducting programs under this Act restrict the opportunities for employment and advancement within such agencies and shall develop and promulgate guidelines, based upon such study, setting forth recom-

mendations for task and skill requirements for specific jobs and recommended job descriptions at all levels of employment, designed to encourage career employment and occupational advancement within such agencies.

TRAINING AND TECHNICAL ASSISTANCE

SEC. 406. In carrying out his responsibilities under this Act, the Secretary of Labor, in consultation with the Secretary of Health, Education, and Welfare, and the Director of the Office of Economic Opportunity, where appropriate, shall provide, directly or through grants, contracts, or other arrangements, preservice and inservice training for specialized, supportive, and supervisory or other personnel and technical assistance which is needed in connection with the programs established under this Act or which otherwise pertains to the purposes of this Act. Upon request, the Secretary of Labor may make special assignments of personnel to public or private agencies, institutions, or employers to carry out the purposes of this section; but no such special assignments shall be for a period of more than two years. In order to encourage the establishment and operation by low-income persons and their representatives of centers on the local level which are designed to provide comprehensive employment and related service for low-income persons who are unemployed or underemployed, the Secretary of Labor shall, in consultation with the Secretary of Health, Education, and Welfare and the Director of the Office of Economic Opportunity, wherever feasible, provide training and technical assistance by grants, contracts, or other arrangements with individuals and organizations who have demonstrated a capacity to establish and operate such programs.

SEC. 407. (a) In carrying out his duties under this Act, the Secretary shall:

(1) Survey, at regular intervals, the various training programs and opportunities available to or utilized by staff of manpower service programs, including both managerial and technical staff.

(2) Analyze the manpower programs, operating or planned, including the conceptual basis, the operating structure, and the clientele to be served, in order to determine current and future staff training requirements thus correcting or avoiding deficiencies in staff performance and enhancing the impact of programs.

(3) Plan for and provide directly or by contract an integrated system of short term and intermittent staff training and instruction in managerial and technical matters relating to the conduct of manpower training programs and services, including but not limited to on-the-job training, the establishment and maintenance of fellowships and traineeships, exchange programs, and such other devices as are deemed necessary or appropriate. The staff training system thus established shall be aimed at and include manpower training and service staff at Federal, State, and local levels funded directly or indirectly by this Act and special attention shall be given to the utilization of this staff training system in a manner which will increase the number and effectiveness of previously disadvantaged persons serving in career staff capacities. Training under this section shall provide for such stipends and allowances (including travel and subsistence allowances) as may be deemed necessary, except that no such training or instruction (or fellowship or scholarship) shall be provided for any one course of study for a period in excess of four years.

PART B—NATIONAL COMPUTERIZED JOB BANK PROGRAM

FINDINGS AND PURPOSE

SEC. 411. The Congress hereby finds that the lack of prompt and adequate information regarding manpower needs and availability contributes to unemployment, underemployment, and the inefficient utilization of the Nation's manpower resources. The Congress further finds that the development of electronic data processing and telecommunications systems has created new opportunities for dealing with this difficult problem. It is therefore the purpose of this title to enlist the tools of modern technology in a cooperative Federal-State effort to reduce unemployment and underemployment and more adequately meet the Nation's manpower needs.

ESTABLISHMENT OF THE PROGRAM

SEC. 412. The Secretary shall develop and establish a computerized job bank program for the purpose of—

(1) identifying sources of available manpower supply and job vacancies;

(2) providing an expeditious means of matching the qualifications of unemployed, underemployed, and disadvantaged persons with employer requirements and job opportunities on a National, State, local, or other appropriate basis;

(3) referring and placing such persons in jobs; and

(4) distributing and assuring the prompt and ready availability of information concerning manpower needs and resources to employers, employees, public and private job placement agencies, and other interested individuals and agencies.

Maximum effective use shall be made of electronic data processing and telecommunications systems in the development and administration of the program. The program established under this part shall be coordinated with the comprehensive manpower services program established under title I.

CONDUCT OF THE PROGRAM

SEC. 413. For the purpose of carrying out the program established in section 412, the Secretary is authorized to make grants to State or local agencies for the planning and administration of the program, including the purchase or other acquisition of necessary equipment. The Secretary may conduct the program on a regional or interstate basis either directly or through grants, contracts, or other arrangements with public or private agencies and organizations. He may also conduct the program when he finds that a State or local program will not adequately serve the purposes of this part. The Secretary may require that any information concerning manpower resources or job vacancies utilized in the operation of job-bank programs financed under this part be furnished to him at his request. He may, in addition, require the integration of any information concerning job vacancies or applicants into a job-bank system assisted under this part.

EXPERIMENTS, DEMONSTRATIONS, RESEARCH AND DEVELOPMENT

SEC. 414. The Secretary may conduct directly, or through contracts, grants, or other arrangements with public or private agencies or organizations, such experimental or demonstration projects, research and development as he deems necessary to improve the effectiveness of the program established under this part.

RULES, REGULATIONS, AND STANDARDS

SEC. 415. The Secretary shall prescribe such rules and regulations and standards as may be necessary to carry out the purposes of this part, including standards to assure the compatibility on a nationwide basis of data systems used in carrying out the program established by this part, and including rules and regulations to assure the confidentiality of information submitted in confidence.

PART C—DEVELOPMENT OF EMPLOYMENT OPPORTUNITIES FOR DISADVANTAGED PERSONS IN FEDERALLY ASSISTED PROGRAMS

PURPOSE

SEC. 421. The purpose of this part is to establish a program of research, development, and pilot activities for the purpose of determining the level of employment generated by Federal grant and assistance programs and the degree to which such programs can provide an increased source of opportunities for the employment and advancement of disadvantaged persons.

RESEARCH

SEC. 422. The Secretary is hereby authorized to undertake studies of the contribution of Federal grants-in-aid and other Federal assistance programs to the overall employment level. Such studies may include but are not limited to collection and analysis of information on the number of positions wholly or partially supported by Federal assistance programs, their occupational structure, wage, and salary levels, projections for future growth, requirements and qualifications for entry into such positions, promotional and career development opportunities, the educational, vocational, and other relevant characteristics of those who occupy such positions, and the effects of such employment on employment generally. The heads of all Federal departments and agencies administering grants-in-aid or other Federal assistance programs are hereby directed to cooperate fully with the Secretary in the conduct of such studies. They shall transmit to the Secretary annually estimates of the employment increases or decreases expected to result from the planned expansion or reduction of such programs, and as conditions warrant, on call from the Secretary, contingency plans and estimates relating to the increase in employment which would be created if such programs are expanded under conditions of persistent high unemployment and underemployment.

PILOT PROGRAMS

SEC. 423. (a) The Secretary of Labor is authorized to conduct experimental, developmental, demonstration, and pilot programs to carry out the purposes of this part. In the conduct of these programs, the Secretary is authorized to enter into agreements with the heads of other Federal departments and agencies administering grants-in-aid and other forms of Federal assistance to establish annual and multiyear goals for the employment of disadvantaged persons in employment wholly or partially supported through such Federal assistance. For the purposes of carrying out these agreements, Federal departments and agencies may provide, notwithstanding any other provision of law, that the fulfillment of such goals shall be a condition for receiving such assistance.

(b) Programs under this part shall, to the extent practicable, be designed to eliminate artificial barriers to employment and occupational advancement, including merit system requirements and practices related thereto, which restrict opportunities for the employment and advancement of disadvantaged persons.

(c) Funds made available for the purpose of carrying out this part may be allocated and expended, or transferred to other Federal agencies for expenditure, as the Secretary of Labor deems necessary for carrying out the provisions hereof.

(d) Activities for which funds made available under this part may be expended shall include, but are not limited to, the following:

(1) extraordinary costs of training and supportive services necessary to improve the performance of disadvantaged persons who are employed pursuant to agreement under this section;

(2) costs of providing orientation, counseling, testing, followup, and other similar manpower services determined necessary to assist such individuals to achieve success in employment.

REPORTS

SEC. 424. The Secretary shall transmit to the Congress annually a report of his find-

ings and recommendations arising out of the programs and studies under this part.

PART D—SECRETARY'S RESPONSIBILITY

SEC. 431. In carrying out his responsibilities under this Act, the Secretary is authorized under this title to provide for services and activities authorized under any other part of this Act.

Mr. PERKINS (during the reading). Mr. Chairman, I ask unanimous consent that title IV be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

AMENDMENT OFFERED BY MR. DENNIS

Mr. DENNIS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DENNIS: Page 42, line 8, after the period at the end of line 8 insert the following: "The Director of the Office of Economic Opportunity shall make no contract, grant, or other arrangement regarding the evaluation authorized by this subsection, with any individual who has been employed by the Office of Economic Opportunity, within a period of one year following the termination of his said employment; or with any firm or partnership, any one of the partners or executive or managing members of which has been employed by the Office of Economic Opportunity, within a period of one year following the termination of such employment by such partner or by such executive or managing member; or with any corporation, any officer, director, or executive or managing employee of which has been employed by the Office of Economic Opportunity, within a period of one year following the termination of such employment on the part of such officer, director, or executive or managing employee."

Renumber the following lines accordingly.

Mr. DENNIS. Mr. Chairman, this is an amendment which has no quarrel whatsoever with the general thrust and purpose of this bill and which ought to be, I think, acceptable to every member of the Committee.

The section which I am seeking to amend says that the Director of the Office of Economic Opportunity is authorized to conduct, either directly or by way of contract, grant, or other arrangement, a thorough evaluation of all programs and activities conducted pursuant to this act.

Now, anybody who has been reading the newspapers lately, or who has been familiar with the situation at all, knows that there has been a great scandal because of the evaluation contracts, so-called, carried out by the Office of Economic Opportunity in which millions of dollars of the public money have been expended on such contracts with people who have just left the Office of Economic Opportunity, formed a private consulting business, and then gotten the contract with the agency that they just left.

It seems to me that those things should not be done under any administration, of either party; it does not help anybody. And I do not think this administration or this Director wants to do it at all. All this amendment does is to say that no evaluation contract shall be made by the Director of OEO with any individual who has been employed by the agency within a year of the termination of his employment, or with any partnership or organization which has such an individual as a partner, or a managing member, or with any corporation which has such an individual as an officer or a director, or an executive or managing employee.

Those types of people, organizations, and firms cannot contract with the Office of Economic Opportunity for an evaluation contract until they have been out of office for at least 1 year.

I would like to see anybody here suggest what is wrong with that amendment. I hope it will be accepted by the committee.

Mr. STEIGER of Wisconsin. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I really hesitate to oppose this amendment offered by the distinguished gentleman from Indiana because this is an amendment which I think is close to what at least was tried in the Economic Opportunity Act, though I am not sure successfully.

Let us understand two things—one, the Office of Economic Opportunity is already doing almost this same thing—not identically, I might add, and that is a big difference.

The Office of Economic Opportunity instruction 26–1, chapter 10, Code of Regulation 45, section 1026.

What they are doing is different than the Dennis amendment in two regards. One—they say on a competitive bid, a written waiver by the Deputy Director is required if there is an employee who is a former OEO employee and employed by that company that won the competitive bid.

Second, on a noncompetitive bid or contract, a written decision must be made by the Director himself in instances where there may be a former employee of the Office of Economic Opportunity now employed by that company.

Mr. Chairman, I think the Dennis amendment, laudable as it is, and I agree that this kind of thing does need to be done, does go too far. It runs counter to what is already being done by the OEO.

I might just say to the gentleman from Indiana that when we have the Economic Opportunity Act for renewal, I think the Committee on Education and Labor will continue to take a long, hard look at the question of former employees of the agency being a part of the operation of companies doing business for whatever reason with the OEO.

Mr. DENNIS. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Wisconsin. I am happy to yield to my colleague.

Mr. DENNIS. Mr. Chairman, I appreciate that suggestion but I would suggest to the gentleman, if he agrees with me, that this sort of thing should be statutory rather than merely by regulation of the agency; if he agrees that we should write it down by law—binding them, as Jefferson put it, by the chains of the Constitution, then there is no better occasion for doing that than right here and now.

Mr. STEIGER of Wisconsin. May I say to the gentleman, my concern here is that I would be delighted to try to work out the language in the OEO Act to do this, but the language in the Dennis amendment, I think, in its present form, is open to some question.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. DENNIS).

The question was taken; and on a division (demanded by Mr. DENNIS) there were—ayes 40, noes 52.

Mr. DENNIS. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

The CHAIRMAN. Are there further amendments to title IV? If not, the Clerk will read.

The Clerk read as follows:

TITLE V—MISCELLANEOUS

AUTHORIZED APPROPRIATIONS

SEC. 501. (a) For the purposes of carrying out this Act, there are authorized to be appropriated $2,000,000,000 for the fiscal year ending June 30, 1972, $2,500,000,000 for the fiscal year ending June 30, 1973, and $3,000,000,000 for the fiscal year ending June 30, 1974.

(b) Notwithstanding any other provision of law, unless enacted in specific limitation of the provisions of this subsection, any funds appropriated to carry out this Act which are not obligated prior to the end of the fiscal year for which such funds were appropriated shall remain available for obligation during the succeeding fiscal year, and any funds obligated in any fiscal year may be expended during a period of two years from the date of obligation.

FUNDS AVAILABLE FOR SPECIFIC PROGRAMS

SEC. 502. (a) The amounts appropriated to carry out this Act for any fiscal year (except for amounts otherwise reserved in accordance with this Act or expressly limited in an appropriation Act to a specific purpose under this Act) shall be allocated among the titles of this Act in such a manner, subject to subsections (b) and (c) of this section, that of the amounts so appropriated—

(1) three-quarters shall be for training and employment programs carried out under title I, II, and III of this Act; and

(2) one-quarter shall be for activities authorized under title IV of this Act.

(b) Notwithstanding any limitation on appropriations for any program or activity under this Act or any Act authorizing or appropriating funds for any such program or activity, not to exceed 25 per centum of the amount appropriated or allocated from any appropriation for any fiscal year for carrying out any such program or activity under this Act may be transferred and used by the Secretary for carrying out any other such program or activity under this Act: *Provided*, That on a nationwide basis an amount not less than 18.75 per centum of the amount appropriated under this Act shall be used to support public service employment under title III of this Act.

(c) To the extent necessary to enable the Secretary to make funds available to carry out any grant or contract entered into prior to the effective date of this Act under the Manpower Development and Training Act of 1962, as amended, or title I of the Economic Opportunity Act of 1964, as amended, the Secretary may transfer funds from amounts allocated for newly authorized programs under this Act.

ADVANCE FUNDING

SEC. 503. (a) For the purpose of affording adequate notice of funding available under this Act, appropriations under this Act are authorized to be included in the appropriation Act for the fiscal year preceding the fiscal year for which they are available for obligation.

(b) In order to effect a transition to the adverse funding method of timing appropriation action, the amendment made by subsection (a) shall apply notwithstanding that its initial application will result in the enactment in the same year (whether in the same appropriation Act or otherwise) of two separate appropriations, one for the then current fiscal year and one for the succeeding fiscal year.

ALLOCATION OF FUNDS

SEC. 504. (a) The amounts available for any fiscal year for titles I, II, and III which are not otherwise reserved in accordance with this Act shall be allocated in such a manner that of such amounts—

(1)(A) not more than 5 per centum shall be available for financial assistance under subsection (c) of this section, and (B) not more than 5 per centum shall be available for financial assistance under subsection (d) of this section;

(2) not less than 70 per centum shall be apportioned among the States in an equitable manner, taking into consideration the proportion which the—

a. labor force,
b. unemployment,
c. lack of full-time employment,
d. insured unemployed,
e. average weekly unemployment compensation benefits paid,
f. number of teenagers fourteen through seventeen years of age,
g. persons heading low-income families,
h. unrelated low-income persons,

of the State bears to the respective totals thereof of the United States, the demonstrated capacity of sponsors to conduct effective programs, and the relative size of allocations previously received by each State for comparable manpower purposes; and

(3) the remainder shall be made available to the Secretary to carry out the purposes of titles I, II, and III.

(b) The amount apportioned to each State under clause (2) of subsection (a) shall be apportioned among areas within each such State so that areas served by prime sponsors approved under the provisions of section 104 of this Act are apportioned funds in the same manner as provided in clause (2) of subsection (a). To the maximum extent feasible, such apportioned funds shall be expended through approved applications submitted by such prime sponsors.

(c) The amount available pursuant to clause (1)(A) of subsection (a) shall be available to the Secretary for the purpose of providing additional financial assistance as an incentive for the designation of prime sponsors for appropriate labor market areas or portions thereof. Financial assistance provided to any such prime sponsor may not exceed an amount equal to an additional 20 per centum of the financial assistance otherwise available to the area so covered under subsection (b) of this section. The Secretary shall confer with units of general local government eligible to be prime sponsors in appropriate labor market areas and encourage such units to cooperate on an areawide basis to the maximum extent practicable.

(d) The amount available pursuant to clause (1)(B) of subsection (a) for the purposes of this subsection shall be available to the Secretary for the purpose of providing additional financial assistance as an incentive for the establishment by the prime sponsor of appropriate procedures for coordination and cooperation with agencies administering vocational education programs in the area to be served by any such sponsor. Financial assistance provided to any such prime sponsor may not exceed an amount equal to an additional 20 per centum of the financial assistance otherwise available to such prime sponsor under subsection (b) of this section. The Secretary, with the concurrence of the Secretary of Health, Education, and Welfare, shall establish criteria for the establishment of such procedures.

(e) The Secretary is authorized to make reallocations for such purposes under this title as he deems appropriate of the unobligated amount of any apportionment under subsections (a)(2) and (b) to the extent that the Secretary determines that it will not be required for the period for which such apportionment is available. No amounts apportioned under subsections (a)(2) and (b) for any fiscal year may be reallocated for any reason before the expiration of the ninth month of the fiscal year for which such funds were appropriated and unless the Secretary has provided fifteen days advance notice to the prime sponsor for such area of the proposed reallocation. Any funds reallocated under this subsection are not required to be apportioned in accordance with subsection (a)(2) or (b), and no revision in the apportionment of the funds not so reallocated shall be made because of such reallocations.

(f) As soon as practicable after funds are appropriated to carry out this Act for any fiscal year, the Secretary shall publish in the Federal Register the apportionments required by subsections (a)(2) and (b) of this section and the labor market areas described (d) of this section.

DEFINITIONS

SEC. 505. For the purposes of this Act, except as otherwise specified, the term—

(1) "Secretary" means the Secretary of Labor.

(2) "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

LEGAL AUTHORITY

SEC. 506. (a) The Secretary may prescribe such rules, regulations, guidelines, and other published interpretations or orders under this Act as he deems necessary. Rules, regulations, guidelines, and other published interpretations or orders issued by the Department of Labor, or any official thereof, for the purpose of carrying out this Act shall contain, with respect to each material provision of such rules, regulations, guidelines, interpretations, or orders, citations to the particular section or sections of statutory law or other legal authority upon which such provision is based. Such rules, regulations, guidelines, and other published interpretations or orders may include adjustments authorized by section 204 of the Intergovernmental Cooperation Act of 1968.

(b) The authority of the Secretary relating to disapproval of prime sponsorship plans under section 104(f) shall not be delegated outside the Office of the Secretary or of the Assistant Secretary for Manpower.

SPECIAL LIMITATIONS AND CONDITIONS

SEC. 507. (a) No authority conferred by this Act shall be used to enter into arrangements for, or otherwise establish, any training programs in the lower wage industries in jobs where prior skill or training is typically not a prerequisite to hiring and where labor turnover is high, or to assist in relocating establishments from one area to another. Such limitation on relocation shall not prohibit assistance to a business entity in the establishment of a new branch, affiliate, or subsidiary of such entity if the Secretary of Labor finds that assistance will not result in an increase in unemployment in the area of original location or in any other area where such entity conducts business operations, unless he has reason to believe that such branch, affiliate, or subsidiary is being established with the intention of closing down the operations of the existing business entity in the area of its original location or in any other area where it conducts such operations.

(b) Any amounts received under chapters 11, 13, 31, 34, and 35 of title 38, United States Code, by any veteran of any war, as defined by section 101 of title 38, United States Code, who served on active duty for a period of more than one hundred and eighty days or was discharged or released from active duty for a service-connected disability or any eligible person as defined in section 1701 of such title, if otherwise eligible to participate in programs under this Act, shall not be considered for purposes of determining the needs or qualifications of participants in programs under this Act.

OTHER AGENCIES AND DEPARTMENTS

SEC. 508. (a) In the performance of his function under this Act, the Secretary, in order to avoid unnecessary expense and duplication of functions among Government agencies, shall use the available services or facilities of other agencies and instrumentalities of the Federal Government. Each department, agency, or establishment of the United States is authorized and directed to cooperate with the Secretary and, to the extent permitted by law, to provide such services and facilities as he may request for his assistance in the performance of his functions under this Act.

(b) The Secretary shall carry out his responsibilities under this Act through the maximum utilization of all possible resources for skill development available in industry, labor, public and private educational and training institutions, State, Federal, and local agencies, and other appropriate public and private organizations and facilities.

COMPARATIVE PROGRAM INFORMATION

SEC. 509. The Secretary shall not provide financial assistance for any program under this Act unless he determines, in accordance with regulations which he shall prescribe, that periodic reports will be submitted to him containing data designed to enable the Secretary and the Congress to measure the relative and, where programs can be compared appropriately, comparative effectiveness of the programs authorized under this Act. Such data shall include information on—

(1) enrollee characteristics, including age, sex, race, health, education level, and previous wage and employment experience;

(2) duration in training and employment situations, including information on the duration of employment of program participants for at least a year following the termination of participation in federally assisted programs and comparable information on other employees or trainees of participating employers;

(3) total dollar cost per trainee, including breakdown between salary or stipend, training and supportive services and administrative costs.

The Secretary shall compile such information on a State, regional, and national basis.

NONDISCRIMINATION

SEC. 510. The Secretary shall not provide financial assistance for any program under this Act unless the grant, contract, or agreement with respect thereto specifically provides that no person with responsibilities in the operation of such program will discriminate with respect to any program participant or any applicant for participation in such program because of race, creed, color, national origin, sex, political affiliation, or beliefs.

REPORTS

SEC. 511. The Secretary of Labor shall make such reports and recommendations to the President as he deems appropriate per-

taining to manpower requirements, resources, use, and training, and his recommendations for the forthcoming fiscal year, and the President shall transmit to the Congress within sixty days after the beginning of each regular session a report pertaining to manpower requirements, resources, utilization, and training.

AUTHORITY TO CONTRACT AND EXPEND FUNDS

SEC. 512. The Secretary may make such grants, contracts, or agreements, establish such procedures (subject to such policies, rules, and regulations as he may prescribe), and make such payments, in installments and in advance or by way of reimbursement, or otherwise allocate or expend funds made available under this Act, as he may deem necessary to carry out the provisions of this Act, including (without regard to the provisions of section 4774(d) of title 10, United States Code) expenditures for construction, repairs, and capital improvements, and including necessary adjustment in payments on account of overpayments or underpayments. The Secretary may also withhold funds otherwise payable under this Act in order to recover any amounts expended in the current or immediately prior fiscal year in violation of any provision of this Act or any term or condition of assistance under this Act.

ACCEPTANCE OF GIFTS

SEC. 513. The Secretary is authorized, in carrying out his functions and responsibilities under this Act, to accept in the name of the Department, and employ or dispose of in furtherance of the purpose of this Act, or any title thereof, any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise.

ACCEPTANCE OF VOLUNTARY SERVICES

SEC. 514. The Secretary is authorized in carrying out his functions and responsibilities under this Act to accept voluntary and uncompensated services, notwithstanding the provisions of section 3679(b) of the Revised Statutes (31 U.S.C. 665(b)).

ACCEPTANCE OF FUNDS

SEC. 515. The Secretary is authorized to accept and utilize in carrying out the provisions of this Act funds appropriated to carry out other Federal statutes if such funds are utilized for the purposes for which they are specifically authorized and appropriated.

TRANSFER OF FUNDS

SEC. 516. Funds appropriated under the authority of this Act may be transferred, with the approval of the Director of the Office of Management and Budget, between departments and agencies of the Federal Government, if such funds are used for the purposes for which they are specifically authorized and appropriated.

UTILIZATION OF SERVICES AND FACILITIES

SEC. 517. In addition to such other authority as he may have, the Secretary is authorized, in carrying out his functions under this Act, to utilize, with their assent, the services and facilities of Federal agencies without reimbursement, and with the consent of any State or political subdivision of a State, accept and utilize the services and facilities of the agencies of such State or subdivision without reimbursement.

RENTAL, ALTERATION, AND IMPROVEMENT OF BUILDINGS

SEC. 518. The Secretary is authorized, in carrying out his functions under this Act, to expend funds without regard to any other law or regulations for rent of buildings and space in buildings and for repairs alteration, and improvement of buildings and space in buildings rented by him; but the Secretary shall not utilize the authority contained in this section—

(1) except when necessary to obtain an item, service, or facility, which is required in the proper administration of this Act, and which otherwise could not be obtained, or could not be obtained in the quantity or quality needed, or at the time, in the form, or under the conditions in which it is needed, and

(2) prior to having given written notification to the Administrator of General Services (if the exercise of such authority would affect an activity which otherwise would be under the jurisdiction of the General Services Administration) of his intention to exercise such authority, the item, service, or facility with respect to which such authority is proposed to be exercised, and the reasons and justifications for the exercise of such authority.

EXPENDITURES FOR PRINTING AND BINDING

SEC. 519. In addition to such other authority as he may have, the Secretary is authorized, in carrying out his functions under this Act, to expend funds made available for the purposes of this Act for such printing and binding as he determines necessary, without regard to any other law or regulation.

CRIMINAL PROVISIONS

SEC. 520. Title 18 of the United States Code is amended by adding a new section 665 to read as follows:

"THEFT OR EMBEZZLEMENT FROM MANPOWER FUNDS; IMPROPER INDUCEMENT

"SEC. 665. (a) Whoever, being an officer, director, agent, or employee of or connected in any capacity with any agency receiving financial assistance under the Comprehensive Manpower Act embezzles willfully, misapplies, steals, or obtains by fraud any of the moneys, funds, assets or property which are the subject of a grant or contract of assistance pursuant to this Act shall be fined not more than $10,000 or imprisoned for not more than two years, or both; but if the amount so embezzled, misapplied, stolen, or obtained by fraud does not exceed $100, he shall be fined not more than $1,000 or imprisoned not more than one year, or both.

"(b) Whoever, by threat of procuring dismissal of any person from employment or of refusal to employ or refusal to renew a contract of employment in connection with a grant or contract of assistance under the Comprehensive Manpower Act induces any person to give up any money or thing of any value to any person (including such grantee agency) shall be fined not more than $1,000, or imprisoned not more than one year, or both."

INTERSTATE AGREEMENTS

SEC. 521. In the event that compliance with provisions of this Act requires cooperation or agreement between States; the consent of Congress is hereby given to such States to enter into such compacts and agreements to facilitate such compliance, subject to the approval of the Secretary.

EFFECT ON EXISTING LAWS

SEC. 522. (a) Effective with respect to fiscal years after June 30, 1971, the Manpower Development and Training Act of 1962 is repealed. Unexpended appropriations for carrying out such Act may be made available to carry out this Act, as directed by the President.

(b) All functions of the Director under part A of title I of the Economic Opportunity Act of 1964 are hereby transferred to the Secretary of Labor and part A of title I shall, without regard to the expiration date specified in section 171, become part E of title IV of this Act. Any reference to part A of title I of the Economic Opportunity Act or any provision thereof in any other law of the United States shall be deemed to be a reference to part E of title IV of this Act or the corresponding provision thereof.

(c) Effective with respect to fiscal years ending after June 30, 1971, title I of the Economic Opportunity Act of 1964 is amended by—

(1) amending all of the matter that appears preceding part D thereof to read as follows:

"TITLE I—MANPOWER DEVELOPMENT AND COMMUNITY ECONOMIC DEVELOPMENT PROGRAMS

"PART A—RESEARCH, EXPERIMENTAL, AND DEVELOPMENT AUTHORITY IN THE MANPOWER AREA

"STATEMENT OF PURPOSE

"SEC. 101. It is the purpose of this part to provide authority for the conduct of research, experimental, and developmental activities focused on providing more effective means for dealing with the employment and employment-related problems of the economically disadvantaged.

"ACTIVITIES AUTHORIZED

"SEC. 102. (a) The Director is authorized to contract with or provide financial assistance to public or private agencies or organizations for the payment of all or part of the costs of developing and carrying out programs designed to further the purposes of this part. Programs assisted under this part shall be of an experimental, developmental, demonstration, or pilot nature and shall be structured in such manner as the Director deems will best equip them to yield information as to the relative effectiveness of various approaches (including new approaches and refinements or variations of traditional approaches) directed to the solution of the employment and employment-related problems of the economically disadvantaged. Such programs may include provision for supportive and followup services.

"(c) In formulating plans for the implementation of this section, the Director shall consult with the Secretary of Labor, and, as appropriate, the heads of other Federal agencies.

"TECHNICAL ASSISTANCE AND TRAINING

"SEC. 103. The Director may provide (directly or through contracts or other appropriate arrangements) technical assistance to assist in the initiation or effective operation of programs under this part. He may also make arrangements for the training of instructors and other personnel needed to carry out programs under this part.

"RESEARCH AND EVALUATION

"SEC. 104. The Director is authorized to contract with or provide financial assistance to public or private agencies or organizations for research pertaining to the purposes of this part. He shall also provide for the careful and systematic evaluation of programs related to the purposes of this part, directly or by contracting for independent evaluations, with a view to measuring specific benefits, so far as practical, and providing information needed to assess the relative potential of the various approaches employed in such programs for contributing significantly to the solution of employment and employment-related problems of the economically disadvantaged. In formulating plans for the implementation of this section, the Director shall consult with the Secretary of Labor and, as appropriate, with the heads of other Federal agencies.

"SPECIAL CONDITIONS

"SEC. 105. Participants in programs under this part shall not be deemed Federal employees and shall not be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employment benefits.";

(2) redesignating part D thereof as part B and sections 150 through 155 as sections 121 through 126, respectively;

(3) striking out part E thereof; and

(4) redesignating part F as part C and section 171 as section 141.

(c) Effective with respect to fiscal years after June 30, 1971, section 810(a) of the Economic Opportunity Act of 1964 is amended by striking the word "and" at the end of paragraph (2) thereof, by inserting in lieu of the period at the end of paragraph (3) a semicolon and the word "and", and by adding the following new paragraph:

"(4) with the approval of the Secretary of Labor, in Job Corps centers operated under title IV of the Comprehensive Manpower Act.

(d) Grants and contracts entered into pursuant to the provisions of title I of the Economic Opportunity Act of 1964 and the Manpower Development and Training Act of 1962 prior to the effective date set forth in subsections (a) and (b) of this section shall not be affected by the provisions of this section.

ADVISORY COMMITTEES

SEC. 523. (a) The Secretary shall appoint a National Manpower Advisory Committee which shall consist of ten members and shall be composed of representatives of labor, management, agriculture, education, and training, and the public in general. From the members appointed to such Committee the Secretary shall designate a Chairman. Such Committee, or any duly established subcommittee thereof shall from time to time make recommendations to the Secretary relative to the carrying out of his duties under this Act. Such Committee shall hold not less than two meetings during each calendar year.

(b) For the purpose of making expert assistance available to persons formulating and carrying on programs under this Act, the Secretary shall, where appropriate, require the organization of a community, State, and/or regional basis of labor-management-public advisory committees.

(c) The National Manpower Advisory Committee may accept gifts or bequests, either for carrying out specific programs or for its general activities or for its responsibilities under subsection (b) of this section.

(d) Appointed members of the National Manpower Advisory Committee shall be paid compensation at the rate of $100 per diem when engaged in the work of the National Manpower Advisory Committee, including traveltime, and shall be allowed travel expenses and per diem in lieu of subsistence as authorized by law for persons in the Government service employed intermittently and receiving compensation on a per diem, when actually employed, basis.

EFFECTIVE DATE

SEC. 524. The effective date of this Act, except as otherwise provided, shall be July 1, 1971. Rules, regulations, guidelines, and other published interpretations or orders may be issued by the Secretary at any time after the date of enactment.

Mr. PERKINS (during the reading). Mr. Chairman, I ask unanimous consent that title V be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Page 71, after line 21, insert the following:

"REPORTS

"SEC. 525. (a) The Secretary of Labor and the Secretary of Health, Education, and Welfare shall report to the Congress by January 20, 1972, on the extent to which community colleges, area vocational and technical schools, and other vocational educational agencies and institutions are being utilized to carry out manpower training programs supported in whole or in part from provisions of the Economic Opportunity Act of 1964, the Manpower Development and Training Act of 1962, and this Act, the extent to which administrative steps have been taken and are being taken to encourage the use of such facilities and institutions and agencies in the carrying out of the provisions of this Act and any further legislation that may be required to assure effective coordination and utilization of such facilities and agencies to the end that all federally supported manpower and vocational educational programs can more effectively accomplish their objectives of providing all persons needing occupational training and opportunity for such training.

"(b) The Commissioner of the United States Office of Education shall report to the Congress by January 20, 1972, on the extent to which vocational orientation, preparation and education are being incorporated in regular elementary and secondary education programs and curricula to the end that education institutions serving youth during years of compulsory school attendance are affording meaningful opportunities, education and incentives for students to enter vocational careers and on any legislation that may be necessary to facilitate an appropriate blend of vocational and academic education."

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. PUCINSKI. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. PUCINSKI. Mr. Chairman, on page 57, section 504 states—

The Secretary shall publish in the Federal Register the apportionments required by subsections (a)(2) and (b) . . .

This deals only with State apportionments under the bill. I would like to ask the two principal sponsors of the bill what provisions are made in this act to make sure that all rules, regulations, or guidelines proposed or promulgated under this act will first be published in the Federal Register. I have an amendment at the desk which would require such publication, but the sponsors assure me that the amendment is not necessary; they assure me it is the intent of the sponsors of this legislation that all rules and regulations to be proposed and promulgated under this act will first be published in the Federal Register so all Members and all interested parties will have an opportunity to study the proposed rules before they become effective. I shall not offer the amendment.

What happens with legislation time and time again, as we have seen, is that Congress labors hard over a bill and all the intricacies of the bill, and we go ahead and finally adopt legislation. But when the administrators of legislation promulgate their rules and regulations, very often any similarity between their guidelines or regulations and what Congress had intended is purely coincidental. It seems to me there is a serious diminution of the power of the Congress when we permit administrators to write their own rules or regulations without giving Congress an opportunity to study the proposed rules before they become effective.

Mr. Chairman, I know it would be impossible for a legislative body to write all the rules and regulations on legislation. We must delegate this responsibility to the administrator. But because we are delegating this responsibility, Congress passed the Administrative Procedures Act to give Congress an opportunity to review proposed regulations before they become law.

Over the years the APA has been eroded and we have seen administrators bypass their responsibility by issuing guidelines to avoid publication in the Federal Register.

So, what I want to do is ask assurance, for the purpose of legislative history, from both the principal sponsors and perhaps the chairman of the full committee that all rules, regulations, guidelines, instructions, policies, and whatnot, proposed under this act will first be published in the Federal Register, so all interested parties, including Members of Congress, can see how they are administering this bill before the guidelines become effective. Usually what happens is they publish those guidelines, and the guidelines become effective on a certain date, and no one has the opportunity to comment on them. Now the courts have even ruled guidelines have taken on the color of law. I would like to have the assurance of the sponsors of the bill on this matter.

Mr. O'HARA. Mr. Chairman, if the gentleman will yield, I assure the gentleman from Illinois it is entirely our intention, and we try to embody it in section 506, that all rulemaking and promulgation of regulations is governed by the Administrative Procedures Act, which should apply in full force to the provisions of this act. Any regulations must be adopted in accordance with the Administrative Procedures Act, and the rulemaking processes under the Administrative Procedures Act must be followed, including notice and publication in the Federal Register and opportunity for comment and criticism of the proposed regulations.

Mr. PUCINSKI. Mr. Chairman, I thank the gentleman. I have a further question.

The Administrative Procedures Act specifically excludes statements of policy. I assume what we are saying is that the basic rules under which this act will be administered must be published in the Register before they become operative and effective. Statements on policy embellishing or elaborating on such rules need not be, but the basic rules must be published in the Register before they become effective. In other words, we do not recognize any bypass of publishing the proposed rules or regulations by calling them guidelines and avoiding publication.

Mr. O'HARA. I am not going to try to interpret the Administrative Procedures Act, but it is our intention that regulations adopted under this act must be

published in the Register before they have any effect.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Chairman, I concur with the remarks of the gentleman from Michigan. As far as I am concerned, anything having the force and effect of law or regulation under law should be published.

Mr. WAGGONNER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time to ask some questions of the chairman of the committee and perhaps the minority member who is handling this particular legislation.

Title V of the bill sets forth the level of funding and specifies that for the purposes of this act for fiscal year 1972, ending June 30, 1972, there will be appropriated $2 billion; and for fiscal year 1973, $2.5 billion; and for fiscal year 1974, $3 billion.

Now it goes on and says, further, on page 52 of the bill, that three-quarters of this money, or 75 percent, shall be for training and employment programs carried on under titles I, II, and III of this act, and one-quarter shall be for activities authorized under title IV of this act. Title I is the manpower services program, title II is the occupational upgrading, and, of course, title III is the public service employment section.

Mr. Chairman, I have in my hand here a list of 11 programs that are manpower programs to be consolidated by this proposal, and including the budget carryover of $134.3 million, the total funds for the 1971 budget are $1,628,400,000. If we are going to allocate 75 percent of this money to titles I, II, III, and another 25 percent to title IV, I submit that with creating a new program, as we are doing with title III, we are going to have less money in the overall for these programs being consolidated than we had last year, and we are going to have this year. The 11 job programs are listed. The manpower programs are listed. We have available now for fiscal year 1971, $1,628,400,000. So what programs are going to be cut when we have an authorized appropriation of $2 billion for fiscal year 1972?

Mr. PERKINS. Let me say to my distinguished colleague, we have the public service program, which is a new program, as the gentleman has stated. We earmark 18.75 percent of the amount appropriated.

Of course we must not presume that the Appropriations Committee and the House will starve the ongoing programs which are well established.

This program is serving annually 1.3 million people today. It will take more money to see the best possible accomplishments. The authorization in my judgment will take care of all the programs you mention at the present levels and permit modest expansion. I am most hopeful that the entire $2 billion will be appropriated. I believe 18.75 percent set aside for the public service program is reasonable but at the same time I would like to see the authorizations raised above the levels the bill provides to assure that under no conceivable circumstance any program will suffer, and that effective expansion can take place.

Mr. WAGGONNER. I think the gentleman misses the point.

This bill authorizes only $2 billion for all of the programs we will continue, plus the new public service program. If we have to allocate 18.75 percent of whatever is appropriated up to $2 billion, for the public service program, and then another 25 percent has to be spent on title IV, which is for research, this will of necessity leave much less money in the programs that are being consolidated and continued than they have had for a number of years.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I am happy to yield to any Member who can give me an answer. Somebody is fixing to get a lot less money.

Mr. STEIGER of Wisconsin. May I say that I do not concur with the analysis of how the funding is to be allocated.

We are talking about 18.75 percent of the allocation of the appropriation for title III, whatever the appropriation is.

In the omnibus section of the bill the $2.5 billion or $3 billion has no relationship to what may be appropriated by the Appropriations Committee.

Mr. WAGGONNER. The gentleman has proved the point. Out of an appropriation of $2 billion for fiscal year 1972 we would take the 25 percent for title IV and add to that the 18.75 percent for title III. These two figures total 43.75 percent which must be given to titles III and IV, so the old continuing programs, which has had $1,628,000,000, are going to have just what is left, which is a lot less than they have had before.

Mr. PERKINS. Let me say to my very distinguished colleague that for title IV we do reserve 25 percent.

Mr. WAGGONNER. We reserve 25 percent.

Mr. PERKINS. Just a moment. Included in the $1.28 billion which the gentleman referred to as present level of funding of ongoing manpower programs is approximately $200 million for the Job Corps which by this bill is now in title IV and would be funded out of the 25 percent.

Mr. WAGGONNER. I have a list of them.

Mr. PERKINS. Moreover, the funds in this title, title IV, can be transferred to titles I, II, or III, because the language in the bill so provides. That would take care of any possible discrepancy which I believe the gentleman is speaking about.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

(By unanimous consent, Mr. WAGGONNER was allowed to proceed for 1 additional minute.)

Mr. WAGGONNER. Is the gentleman saying that the Secretary of Health, Education, and Welfare, in spite of a prohibition which allocates 25 percent to title IV and 18.75 percent to title III, can use the funds somewhere else? Is the gentleman saying that these figures can be manipulated by the Secretary?

Mr. PERKINS. No. Let me say this to the gentleman: It is only 18.75 percent of the amount appropriated for title III.

As to title IV, if the gentleman will turn to page 51, part, D, he will find this language:

SEC. 431. In carrying out his responsibilities under this Act, the Secretary is authorized under this title to provide for services and activities authorized under any other part of this Act.

That simply gives the Secretary flexibility, if there is a shortage, to take care of the funding of some program of some prime sponsor under some other title. He can transfer money.

AMENDMENT OFFERED BY MR. ROBERTS

Mr. ROBERTS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROBERTS: On page 71, after line 15, insert the following: Amend H.R. 19519 by redesignating section 524 to become section 525 and inserting the following as a new section 524:

"SEC. 524. (a)—JOBS COUNSELING, TRAINING AND PLACEMENT SERVICE FOR VETERANS

"Sec.
"2001. Definitions.
"2002. Purpose.
"2003. Assignment of veterans' employment representative.
"2004. Employees of local offices.
"2005. Cooperation of Federal agencies.
"2006. Estimate of funds for administration; authorization of appropriations.
"2007. Administrative controls; annual report.
"2008. Cooperation and coordination with the Veterans' Administration.

"2001. Definitions

"For the purposes of this chapter—

"(1) the term 'eligible veteran' means a veteran of any war, or of service after January 31, 1955, as defined in section 101 of this title; and

"(2) the term 'State' means each of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico, and may include, to the extent determined necessary and feasible, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

"2002. Purpose

"The Congress declares as its intent and purpose that there shall be an effective (1) job and job training counseling service program, (2) employment placement service program, and (3) job training placement service program for eligible veterans and that, to this end, policies shall be promulgated and administered, so as to provide such veterans the maximum of employment and training opportunities.

"2003. Assignment of Veterans' Employment Representative

"The Secretary of Labor shall assign to each State a veterans' employment representative, and such assistant veterans' employment representative as he shall determine to be necessary to assist the veterans' employment representative to carry out effectively in that State the purposes of this chapter. Each veterans' employment representative and assistant veterans' employment representative shall be an eligible veteran who at the time of appointment shall have been a bona fide resident of the State for at least two years and who shall be appointed in accordance with the provisions of title 5, United States Code, governing ap-

pointments in competitive service and shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and general schedule pay rates. Each such veterans' employment representative and assistant veterans' employment representative shall be attached to the staff of the public employment service in the State to which they have been assigned. They shall be administratively responsible to the Secretary of Labor for the execution of the Secretary's veterans' counseling and placement policies through the public employment service and in cooperation with manpower and training programs administered by the Secretary in the State. In cooperation with the public employment service staff and the staffs of each such other program in the State, the veterans' employment representative and his assistants shall—

"(1) be functionally responsible for the supervision of the registration of eligible veterans in local employment offices for suitable types of employment and training and for counseling and placement of eligible veterans in employment and job training programs;

"(2) engaged in job development and job advancement activities for eligible veterans, including maximum coordination with appropriate officials of the Veterans' Administration in that agency's carrying out of its responsibilities under subchapter IV of chapter 3 of this title and in the conduct of job fairs, job marts, and other special programs to match eligible veterans with appropriate job and job training opportunities;

"(3) assist in securing and maintaining current information as to the various types of available employment and training opportunities, including maximum use of electronic data processing and telecommunications systems and the matching of an eligible veteran's particular qualifications with an available job or on-the-job training or apprenticeship opportunity which is commensurate with those qualifications;

"(4) promote the interest of employers and labor unions in employing eligible veterans and in conducting on-job training and apprenticeship programs for such veterans;

"(5) maintain regular contact with employers, labor unions, and training programs and veterans' organizations with a view to keeping them advised of eligible veterans available for employment and training and to keeping eligible veterans advised of opportunities for employment and training; and

"(6) assist in every possible way in improving working conditions and the advancement of employment of eligible veterans.

"2004. Employees of Local Offices

"Except as may be determined by the Secretary of Labor based on a demonstrated lack of need for such services, there shall be assigned by the administrative head of the employment service in each State one or more employees, preferably eligible veterans, on the staffs of local employment service offices, whose services shall be fully devoted to discharging the duties prescribed for the veterans' employment representative and his assistants.

"2005. Cooperation of Federal Agencies

"All Federal agencies shall furnish the Secretary of Labor such records, statistics, or information as he may deem necessary or appropriate in administering the provisions of this chapter, and shall otherwise cooperate with the Secretary in providing continuous employment and training opportunities for eligible veterans.

"2006. Estimate of Funds for Administration; Authorization of Appropriations

"(a) The Secretary of Labor shall estimate the funds necessary for the proper and efficient administration of this chapter. Such estimated sums shall include the annual amounts necessary for salaries, rents, printing and binding, travel, and communications. Sums thus estimated shall be included as a special item in the annual budget for the Department of Labor.

"(b) There are hereby authorized to be appropriated such sums as the Congress shall determine to be necessary for the proper and efficient administration of this chapter.

"(c) In the event that the regular appropriations Act making appropriations for administrative expenses for the Department of Labor with respect to any fiscal year does not specify an amount for the purposes specified in subsection (b) of this section for that fiscal year, then of the amounts appropriated in such Act there shall be available only for the purposes specified in subsection (b) of this section such amount as was set forth in the budget estimate required pursuant to subsection (a).

"(d) Any funds made available pursuant to subsections (b) and (c) of this section shall not be available for any purpose other than those specified in such subsections, except with the approval of the Secretary based on a demonstrated lack of need for such funds for such purposes.

"2007. Administrative Controls; Annual Reports

"(a) The Secretary of Labor shall establish administrative controls for the following purposes:

"(1) To insure that each eligible veteran, especially those veterans who have been recently discharged or released from active duty, who requests assistance under this chapter shall promptly be placed in a satisfactory job or job training opportunity or receive some other specific form of assistance designed to enhance his employment prospects substantially, such as individual job development or employment counseling service.

"(2) To determine whether or not the employment service agencies in each State have committed the necessary staff to insure that the provisions of this chapter are carried out; and to arrange for necessary corrective action where staff resources have been determined by the Secretary to be inadequate.

"(b) The Secretary of Labor shall report annually to the Congress on the success of the Department of Labor and its affiliated State employment service agencies in carrying out the provisions of this chapter. The report shall include, by State, the number of recently discharged or released eligible veterans and other eligible veterans who requested assistance through the public employment service and, of these, the number placed in suitable employment or job training opportunities or who were otherwise assisted, with separate reference to occupational training under appropriate Federal law. The report shall also include any determination by the Secretary under section 2004 or 2005 of this title and a statement of the reasons for such determination.

"2008. Cooperation and Coordination With the Veterans' Administration

"In carrying out his responsibilities under this chapter, the Secretary of Labor shall from time to time consult with the Administrator and keep him fully advised of activities carried out and data gathered pursuant to this chapter to insure maximum cooperation and coordination between the Department of Labor and the Veterans' Administration."

(b) The amendments made by this section shall become effective ninety days after the amendment of this Act.

On page 71 line 17 strike out "524" and insert "525."

On page 71 line 23 strike out "525" and insert "526."

Mr. ROBERTS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read, and printed in the RECORD. I will explain the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROBERTS. Mr. Chairman, the purpose of this amendment is essentially fourfold. It would restore to this bill the Veterans Preference Act. Essentially it tracks title 38 of the Veterans Preference Code. It is not in this bill, although the distinguished gentleman from Michigan points out that on page 5, I believe it is, there is some reference to veterans preference. However, the bill does not provide for veterans preference. The amendment I propose provides first job and job training and counseling service programs exactly parallel to the present veterans program. Two, employment service placement programs. Three, job placement service programs for eligible veterans to provide them with maximum employment and training opportunities. It has one other provision. It would make it possible for the Veterans' Administration to be a prime sponsor.

If you will recall, this act primarily will apply to cities of 100,000. You are going to have a lot of veterans who do not live in a city of 100,000 and who have no way of getting a sponsored program.

All this amendment does is to track exactly the veterans section of title 38. I think all of us want the returning veterans, particularly those coming back from Vietnam, to be sure that they have everything all of the other veterans have had. That is all I propose with this amendment.

Mr. Chairman, I shall not belabor the point any further, because I think all of the Members here want to see veterans preference included in this type of training activity.

I respectfully ask that the House adopt the amendment.

Mr. O'HARA. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, one of the objectives of this legislation is to combine separate categorical programs into one flexible program to serve all. I hope that we will not abandon that concept for any particular group, no matter how deserving.

Mrs. GREEN of Oregon. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am amazed that there is opposition to the amendment which has been offered by the gentleman from Texas (Mr. ROBERTS). I support the amendment.

Mr. Chairman, in all of the other employment programs we have today veterans' preference is taken into consideration. The estimates are, if the Nixon administration is successful in carrying out the planned withdrawal of troops from Vietnam, that there will be 750,000 veterans who will move into the labor market during the next fiscal year.

I have heard members of the committee, including the gentleman from Michigan, assure other people in order to decrease opposition to the bill that we

would continue the programs for the elderly and some of the other categorical programs which we now have. The chairman has also indicated the same thing.

Here we have the one group in the country doing the most for this country and making the greatest sacrifice and we are giving them absolutely no preference at all.

The gentleman from Texas is also correct in terms of the number of days served.

I suggest that the allocation formula in this bill on page 54 will give very definite preference to people in certain areas of this country such as Detroit, Mich., and a few other places under the formula on page 54 where the unemployment rate is very high. Some States will be preferred over others under this formula. There is no limit to the percent of funds, a preferred area may receive.

It seems to me it is equally desirable to give some kind of preference to the 750,000 veterans who are going to be returning to this country. The Wagner-Peyser funds will be dissipated when they are required to be shared with other prime sponsors as is required in paragraph 2, page 23. An even less efficient job may be done in counselling and placing veterans.

Mr. Chairman, I would hope that the amendment which has been offered by the gentleman from Texas will be adopted.

Mr. SISK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like very much to direct a question to the gentleman from Texas (Mr. ROBERTS) if he would make himself available at the microphone. The question is this:

Is this the amendment which had been proposed and expected to be offered by the gentleman from Texas (Mr. TEAGUE), chairman of the Committee on Veterans' Affairs?

Mr. ROBERTS. That is correct. As the gentleman knows Mr. TEAGUE of Texas is unable to be here.

Mr. SISK. It is my understanding that this has been looked at by the Veterans' Affairs Committee of the House and I can assure my friends here that there is great concern today across the country about what seems to be a lackadaisical approach to preserving veterans' preference in connection with some of the programs now in existence.

I might further say that I met recently with a group of people who are very much concerned about this situation.

I recognize it is very late in the evening to start a discussion at this time, but it seems very important to me that this matter be very seriously considered, and that veterans' preference definitely be written into this bill in line with what I understood to be the position of the Committee on Veterans' Affairs, and particularly the gentleman from Texas (Mr. TEAGUE) and who, of course, is very much concerned.

I am just interested in seeing to it that these boys who are coming back—and there are thousands of them, and there are going to be hundreds of thousands of them—that their preference is definitely going to be protected because we have passed laws that say that they must be throughout the last 40 years. It would seem to me that in connection with this bill that certainly it would be important to consider that part of the program.

Mr. STEIGER of Wisconsin. Mr. Chairman, I rise in opposition to the amendment, and I move to strike the requisite number of words.

Mr. Chairman, I hate to oppose this amendment. We all want to do the best job possible for our veterans. I do not think there is anybody in this room who would not want to make sure that those who have served in our Armed Forces are treated correctly. But the gentleman from Michigan was absolutely on target when he made the point that he did that we are talking here, not about the Wagner-Peyser Act, which has always had the Veterans Employment Service concept, but about MDTA and the Economic Opportunity Act, and those have never had a special provision for veterans.

This amendment, as I understand it, having read it briefly, since it is a lengthy amendment, which has been offered by the distinguished gentleman from Texas, would also create an assistant veterans' representative in each State.

Mr. SISK. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Wisconsin. I yield to the gentleman.

Mr. SISK. Let me assure the gentleman that based on what is happening right now, we need this veterans' representative in each State. I would think that is a very minor expense to see to it that these returning veterans do get the preference I think this Congress traditionally has intended that they get.

Mr. STEIGER of Wisconsin. Mr. Chairman, I agree with the gentleman from California—it was originally intended for them to have.

Mr. BINGHAM. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Wisconsin. I yield to the gentleman from New York.

Mr. BINGHAM. I wonder if the gentleman could explain to us whether the veterans' organizations, as such, have been interested in this amendment? I am not aware that they have been, and I wonder too if we have heard anything from the veterans' organizations in support of this amendment or whether it comes, as has been indicated by the gentleman from Michigan, from the State employment services.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Wisconsin. I yield to the gentleman.

Mr. TEAGUE of California. Mr. Chairman, to my recollection, we have not heard from any veterans' organization in support of this amendment.

Mr. STEIGER of Wisconsin. I have not heard from any veterans' organizations in support of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. ROBERTS).

The question was taken; and on a division (demanded by Mr. PERKINS), there were—ayes 66, noes 55.

So the amendment was agreed to.

Mr. DINGELL. With our vote today on the manpower bill we hope to continue and expand the community service employment program for senior citizens. One example of this program is in Detroit, Mich., with the Senior AIDES project of the National Council of Senior Citizens which is sponsored by the city of Detroit Mayor's Committee for Human Resources Development.

A total of 60 Senior AIDES are scattered throughout the city in 29 work stations in a project that has Senior AIDES doing meaningful work for all age groups. Senior AIDES at community development centers assist social case workers and work in medical services clinics; Senior AIDES in Detroit General Hospital perform as nurses' assistants, lab assistants, and hospital clerks; and at the Detroit Recorder's Court, Senior AIDES serve as copy clerks, and supply clerks. Recently added to the work stations were such sites as the State of Michigan Civil Rights Commission, the International Afro-American Museum and a number of day-care centers where AIDES work with children of working mothers.

Supervisors at varied work stations have been so gratified by the service provided by the Senior AIDES under their supervision that they have requested additional Senior AIDES, and other private and nonprofit organizations who have been informed about the project are on a waiting list of work stations where Senior AIDES can be placed. In effect, the impact on the community has been fantastic, and the demand is great for expansion of these Senior AIDES services in Detroit.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BROOKS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 19519) to assure an opportunity for employment to every American seeking work and to make available the education and training needed by any person to qualify for employment consistent with his highest potential and capability, and for other purposes, pursuant to House Resolution 1252, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. SCHERLE

Mr. SCHERLE. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. SCHERLE. I am in its present form, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. SCHERLE moves to recommit the bill H.R. 19519 to the Committee on Education and Labor.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. SCHERLE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 80, nays 275, not voting 79, as follows:

[Roll No. 355]

YEAS—80

Andrews, Ala.	Fountain	Nichols
Ashbrook	Fuqua	O'Neal, Ga.
Baring	Gettys	Passman
Betts	Goldwater	Patman
Bevill	Green, Oreg.	Pickle
Blackburn	Griffin	Poff
Brinkley	Gross	Rarick
Buchanan	Hagan	Roberts
Burke, Fla.	Haley	Rogers, Fla.
Burleson, Tex.	Hall	Rousselot
Cabell	Hébert	Ruth
Caffery	Henderson	Satterfield
Chappell	Hutchinson	Schadeberg
Clancy	Jarman	Scherle
Collins, Tex.	Jonas	Schmitz
Colmer	Jones, N.C.	Scott
Crane	King	Sebelius
Daniel, Va.	Kyl	Sikes
Davis, Ga.	Landgrebe	Steiger, Ariz.
Dennis	Landrum	Stephens
Dickinson	Lennon	Stuckey
Dorn	Long, La.	Thompson, Ga.
Downing	McMillan	Waggonner
Edwards, La.	Mahon	Watson
Fisher	Marsh	Whitten
Flynt	Martin	Wyatt
Foreman	Mizell	

NAYS—275

Addabbo	Burlison, Mo.	Dulski
Albert	Burton, Calif.	Duncan
Alexander	Burton, Utah	Dwyer
Anderson, Calif.	Bush	Eckhardt
Anderson, Ill.	Byrne, Pa.	Edwards, Ala.
Anderson, Tenn.	Byrnes, Wis.	Edwards, Calif.
Andrews, N. Dak.	Carey	Erlenborn
Arends	Carney	Esch
Ashley	Carter	Eshleman
Ayres	Casey	Evans, Colo.
Barrett	Cederberg	Evins, Tenn.
Beall, Md.	Celler	Farbstein
Belcher	Chamberlain	Fascell
Bell, Calif.	Chisholm	Feighan
Bennett	Clausen, Don H.	Findley
Biaggi	Clay	Fish
Biester	Cleveland	Flood
Bingham	Cohelan	Foley
Blanton	Collins, Ill.	Ford, Gerald R.
Boggs	Conable	Ford, William D.
Boland	Conte	Forsythe
Bolling	Conyers	Fraser
Bow	Corbett	Frelinghuysen
Brademas	Corman	Frey
Brasco	Cowger	Friedel
Bray	Cramer	Fulton, Pa.
Brock	Culver	Fulton, Tenn.
Brooks	Daniels, N.J.	Galifianakis
Broomfield	Davis, Wis.	Garmatz
Brotzman	Delaney	Gaydos
Brown, Calif.	Dellenback	Giaimo
Broyhill, N.C.	Denney	Gibbons
Broyhill, Va.	Derwinski	Gonzalez
Burke, Mass.	Diggs	Gray
	Dingell	Green, Pa.
	Donohue	Grover
	Gubser	Miller, Calif.
	Gude	Miller, Ohio
	Halpern	Minish
	Hamilton	Mink
	Hammer-schmidt	Minshall
	Hanna	Mollohan
	Hansen, Idaho	Monagan
	Harrington	Morgan
	Harsha	Morse
	Harvey	Mosher
	Hastings	Moss
	Hathaway	Murphy, N.Y.
	Hawkins	Myers
	Hechler, W. Va.	Natcher
	Heckler, Mass.	Nedzi
	Helstoski	Nelsen
	Hicks	Nix
	Hogan	Obey
	Holifield	O'Hara
	Horton	O'Konski
	Howard	Olsen
	Hull	O'Neill, Mass.
	Hungate	Ottinger
	Hunt	Patten
	Jacobs	Pelly
	Johnson, Calif.	Pepper
	Johnson, Pa.	Perkins
	Jones, Ala.	Philbin
	Karth	Pike
	Kastenmeier	Pirnie
	Kazen	Pollock
	Kee	Preyer, N.C.
	Keith	Price, Ill.
	Kleppe	Pryor, Ark.
	Kluczynski	Pucinski
	Koch	Quie
	Kyros	Quillen
	Latta	Randall
	Leggett	Rees
	Lloyd	Reid, Ill.
	Long, Md.	Reid, N.Y.
	Lowenstein	Reifel
	Lujan	Reuss
	McClory	Rhodes
	McCulloch	Riegle
	McDade	Robison
	McDonald, Mich.	Roe
	McFall	Rogers, Colo.
	MacGregor	Rooney, N.Y.
	Madden	Rooney, Pa.
	Mailliard	Rosenthal
	Matsunaga	Rostenkowski
	Meeds	Roth
	Melcher	Roybal
	Michel	Ryan
	Mikva	St Germain
		Saylor
		Scheuer
		Schneebeli
		Schwengel
		Shipley
		Shriver
		Sisk
		Slack
		Smith, Calif.
		Smith, Iowa
		Snyder
		Stafford
		Staggers
		Stanton
		Steed
		Steele
		Steiger, Wis.
		Stratton
		Stubblefield
		Sullivan
		Symington
		Talcott
		Taylor
		Teague, Calif.
		Thompson, N.J.
		Tiernan
		Tunney
		Udall
		Van Deerlin
		Vander Jagt
		Vanik
		Vigorito
		Waldie
		Wampler
		Ware
		Watts
		Weicker
		Whalen
		Whalley
		White
		Whitehurst
		Widnall
		Wiggins
		Williams
		Wilson, Charles H.
		Winn
		Wolff
		Wright
		Wydler
		Wylie
		Wyman
		Yates
		Yatron
		Young
		Zablocki
		Zion
		Zwach

NOT VOTING—79

Abbitt	Gilbert	Moorhead
Abernethy	Goodling	Morton
Adair	Griffiths	Murphy, Ill.
Adams	Hanley	Pettis
Annunzio	Hansen, Wash.	Poage
Aspinall	Hays	Podell
Berry	Hosmer	Powell
Blatnik	Ichord	Price, Tex.
Brown, Mich.	Jones, Tenn.	Purcell
Brown, Ohio	Kuykendall	Railsback
Button	Langen	Rivers
Camp	Lukens	Rodino
Clark	McCarthy	Roudebush
Clawson, Del	McCloskey	Ruppe
Collier	McClure	Sandman
Coughlin	McEwen	Skubitz
Cunningham	McKneally	Smith, N.Y.
Daddario	Macdonald, Mass.	Springer
de la Garza	Mann	Stokes
Dent	Mathias	Taft
Devine	May	Teague, Tex.
Dowdy	Mayne	Thomson, Wis.
Edmondson	Meskill	Ullman
Ellberg	Mills	Wilson, Bob
Fallon	Mize	Wold
Flowers	Montgomery	
Gallagher		

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Abernethy for, with Mr. Annunzio against.

Mr. Teague of Texas for, with Mr. Stokes against.

Mr. Montgomery for, with Mr. Rodino against.

Mr. Dowdy for, with Mr. Dent against.

Mr. Rivers for, with Mr. Ellberg against.

Mr. Abbitt for, with Mr. Moorhead against.

Mr. Flowers for, with Mr. Sandman against.

Mr. Price of Texas for, with Mr. Hanley against.

Until further notice:

Mr. Adams with Mr. Adair.

Mr. Edmondson with Mr. Camp.

Mr. Gallagher with Mr. Lukens.

Mr. Purcell with Mr. Ruppe.

Mr. Clark with Mr. Pettis.

Mr. Aspinall with Mr. Kuykendall.

Mr. Blatnik with Mr. Taft.

Mr. Jones of Tennessee with Mr. Berry.

Mr. Macdonald of Massachusetts with Mr. Brown of Michigan.

Mr. Murphy of Illinois with Mr. McClure.

Mr. Podell with Mr. Button.

Mrs. Griffiths with Mr. Devine.

Mrs. Hansen of Washington with Mr. Hosmer.

Mr. Mann with Mr. Skubitz.

Mr. Ullman with Mr. McEwen.

Mr. McCarthy with Mr. Smith of New York.

Mr. Daddario with Mr. Mathias.

Mr. Mills with Mr. Bob Wilson.

Mr. Fallon with Mr. Morton.

Mr. Gilbert with Mr. Mayne.

Mr. de la Garza with Mr. Brown of Ohio.

Mr. Roudebush with Mr. Del Clawson.

Mr. Langen with Mr. Collier.

Mr. McCloskey with Mr. Springer.

Mr. Mize with Mr. Cunningham.

Mr. Coughlin with Mr. Meskill.

Mr. Goodling with Mr. Thomson of Wisconsin.

Mr. Wold with Mr. Railsback.

Mrs. May with Mr. McKneally.

Mr. O'NEAL of Georgia changed his vote from "nay" to "yea."

Mr. TAYLOR changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor be discharged from further consideration of the bill S. 3867, to assure opportunities for employment and training to unemployed and underemployed persons, to assist States and local communities in providing needed public services, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The Clerk read the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

MOTION OFFERED BY MR. PERKINS

Mr. PERKINS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. PERKINS moves to strike out all after the enacting clause of S. 3867 and insert in lieu thereof the provisions contained in the bill H.R. 19519 as passed, as follows:

That this Act may be cited as "The Comprehensive Manpower Act".

STATEMENT OF PURPOSE

SEC. 2. The Congress finds and declares that—

(a) To attain the objective of the Employment Act of 1946 "to promote maximum employment, production and purchasing power"

we must assure an opportunity for a gainful, productive job to every American who is seeking work and make available the education and training needed by any person to qualify for employment consistent with his highest potential and capability.

(b) It is within the capability of the United States to provide every American who is able and willing to work, full opportunity, within the framework of a free society, to prepare himself for and obtain employment at the highest level of productivity, responsibility, and remuneration within the limits of his abilities.

(c) The growth of the Nation's economic prosperity and productive capacity is limited by the lack of sufficient skilled workers to perform the demanding production, service, and supervisory tasks necessary to the full realization of economic abundance for all in an increasingly technical society, while, at the same time, there are many workers who are working below their capacity and who with appropriate education and training could capably perform jobs requiring a higher degree of skill, judgment, and attention.

(d) The human satisfaction and sense of purpose so important to employment cannot be fulfilled unless employees have a reasonable opportunity to advance in employment to positions of greater responsibility, status, and remuneration.

(e) The placement of unemployed or underemployed workers in private employment is hampered by the absence of a sufficient number of appropriate entry level employment opportunities to satisfy the need therefor and that the preparation of workers now occupying such places for, and their employment in, more responsible positions would increase the number of appropriate entry level employment opportunities.

(f) It is in the interest of workers, employers, and of the Nation to promote the filling of skill requirements in industry and to provide for the upward mobility of industrial workers by a program that will enable employers to educate and train their employees for positions of greater responsibility, to provide opportunities for advancement to industrial workers, and to create employment opportunities for the unemployed.

(g) There are great unfilled public needs in such fields as health, recreation, housing and neighborhood improvement, public safety, maintenance of streets, parks, and other governmental facilities, rural development, transportation, beautification, conservation, and other fields of human betterment and public improvement and that to meet these urgent public needs it is necessary to devote greater resources to public service and to expand public service employment.

(h) The organization and delivery of manpower training services is increasingly complex, the technological nature of the services is expanding, and the trained staff to provide such services is scarce, thus requiring an intensive program of technical assistance and staff training to public and private agencies providing manpower services, and

(i) The economic prosperity of the United States and the well-being and happiness of its citizens would be enhanced by the establishment of a comprehensive manpower policy and program designed to assure every American an opportunity for gainful productive employment and to provide the education and training needed by any person to qualify for employment consistent with his highest potential and capability.

TITLE I—MANPOWER SERVICES PROGRAM

GENERAL RESPONSIBILITIES

SEC. 101. (a) The Secretary of Labor (hereinafter referred to as the Secretary) shall be developed and carry out a program of comprehensive manpower services under this title that will—

(1) provide for the prompt referral of those persons who are qualified and are seeking work to suitable employment opportunities;

(2) provide training and related manpower services to all other persons who are unemployed, in danger of becoming unemployed, employed in public service jobs authorized in title III, or employed in low-paying jobs who could through further training qualify for job opportunities that would provide an adequate standard of living for themselves and their families;

(3) provide appropriate training and related manpower services for persons in correctional institutions to assist them in obtaining suitable employment upon release;

(4) provide appropriate training and related manpower services for persons who have recently been or will shortly be separated from military service;

(5) develop an early warning system and standby capability that will assure a timely and adequate response to major economic dislocations arising from changing markets, rapid technological change, plant shutdowns, or business failure;

(6) promote and encourage the adoption of employment practices by public agencies, nonprofit agencies, labor organizations, and private firms that will remove unreasonable barriers to employment, without reducing productivity, and expand opportunities for upward mobility;

(7) reduce the level of youth unemployment by improving the linkages between educational institutions and job markets; and

(8) support and encourage the development of broad and diversified training programs by public, nonprofit and private employers designed to improve the skills and thereby the promotion and employment opportunities of employed workers.

(b) The Secretary shall be responsible for the coordination of the activities of other Federal agencies that may contribute to the accomplishment of the purposes of this Act, for promoting the maximum possible coordination of State and local public agencies and private agencies and for recommending to the President and to the Congress combinations of programs or shifts in responsibility that facilitate the achievement of the purposes of this Act.

COMPONENTS OF MANPOWER SERVICES PROGRAMS

SEC. 102. (a) In meeting the responsibilities imposed on him by section 101, the Secretary shall, to the extent needed in each State and local area, provide a comprehensive manpower services program for all those eligible under this title which shall include but shall not be limited to the following:

(1) A program for testing, counseling, and selecting for occupational training those unemployed or underemployed persons who cannot reasonably be expected to secure appropriate full-time employment without training.

(2) Programs for the attainment of basic education and communications and employment skills, by those eligible persons who indicate their intention to and will thereby be able to pursue, subsequently or concurrently, courses of occupational training of a type for which there appears to be a reasonable expectation of employment, or who have completed or do not need occupational training but do require such other preparation to render them employable.

(3) Outreach to find the discouraged and undermotivated and encourage and assist them to enter employment or programs designed to improve their employability.

(4) Prevocational orientation to introduce those of limited experience to alternative occupational choices.

(5) Short-term work experience with public and nonprofit agencies for those unaccustomed to the discipline of work.

(6) Communication and employability skills for those pursuing, subsequently or concurrently, courses of occupational training who require such other preparation to render them employable and for those with sufficient skills for suitable employment who require such preparation to become employable.

(7) Occupational training designed to improve and broaden existing skills or to develop new ones.

(8) On-the-job training provided by public, nonprofit and private employers.

(9) Part-time training for employed persons where such training would lead to improved employment opportunities.

(10) Programs to provide part-time employment, on-the-job training, or useful work experience for students from low-income families who are in the ninth through twelfth grades of school (or are of an age equivalent to that of students in such grades) and who are in need of the earnings to permit them to resume or maintain attendance in school.

(11) Special programs for jobs in public and private agencies leading to career opportunities including new types of careers, in programs designed to improve the physical, social, economic, or cultural conditions of the community or area served in fields including but not limited to conservation, pollution, beautification, health, education, welfare, neighborhood redevelopment, rural development, transportation, recreation, maintenance of parks, streets, public facilities, and public safety, which provide maximum prospects for advancement and continued employment without Federal assistance, which give promise of contributing to the broader adoption of new methods of structuring jobs and new methods of providing job ladder opportunities, and which provide opportunities for further occupational training to facilitate career advancement.

(12) Programs to provide incentives to private employers, nonprofit organizations, and public employers to train or employ unemployed or low-income persons, including arrangements by direct contract, for reimbursement to employers for the costs of recruiting and training such employees to the extent that such costs exceed those customarily incurred by such employer in recruiting and training new hires, payment for on-the-job counseling and other supportive services transportation, and payments for other extra costs including supervisory training required by the program.

(13) Skill training centers wherever a consolidation of occupational training and related manpower services would promote efficiency and provide improved services.

(14) Supportive and followup services to supplement work and training programs under this and other Acts, including health services, counseling, day care for children, bonding, transportation assistance, and other special services necessary to assist individuals to achieve success in work and training programs.

(15) Employment centers and mobile employment service units to provide recruitment, counseling, and placement services, conveniently located in urban neighborhoods and rural areas and easily accessible to the most disadvantaged.

(16) Special job development efforts to solicit job opportunities suited to the abilities of the disadvantaged jobseeker and to facilitate the placement of individuals after training including referral to employment opportunities in urban and suburban areas outside their own neighborhoods.

(17) Job coaching for a limited period to assist the employer and the worker to insure job retention.

(18) Relocation payments and other special services as needed to assist unemployed individuals and their families to relocate from a labor surplus area to another area with expanding employment opportunities where a suitable job has been located. Preference for such assistance shall be provided those who have been provided training before relocation or have been accepted for on-the-job and other types of employer-directed training.

(19) Special programs which involve work activities directed to the needs of those chronically unemployed poor who have poor employment prospects and are unable (because of age, physical condition, obsolete or inadequate skills, declining economic conditions, other causes of a lack of employment opportunity, or otherwise) to secure appropriate employment or training assistance under other programs. Such projects, in addition to other services provided, shall enable such persons to participate in projects for the betterment or beautification of the community or area served by the program, including but not limited to activities which will contribute to the management, conservation, or development of natural resources, recreational areas, Federal, State, and local government parks, highways, and other lands; the rehabilitation of housing; the improvement of public facilities; and the improvement and expansion of health; education, day care, and recreation services.

(20) The development of job opportunities through the establishment and operation of centers for low-income persons who are unemployed or underemployed, providing recruitment, counseling, remediation, vocational training, job development, job placement, and other appropriate services.

(b) Where appropriate, the services authorized by this section may be provided, in whole or in part, through residential programs.

ELIGIBLE APPLICANTS

SEC. 103. (a) To the extent consistent with the purposes of this title, the Secretary is authorized to enter into arrangements with any eligible applicant in accordance with the provisions of this title in order to make financial assistance available for the purpose of carrying out manpower services when the Secretary determines that such services can be most effectively implemented by such applicant.

(b) For the purpose of entering into arrangements with the Secretary under this title, eligible applicants shall be—

(1) prime sponsors designated pursuant to plans approved by the Secretary under section 104; and

(2) other public and private agencies, institutions, and organizations, including community action agencies.

PRIME SPONSORS

SEC. 104. (a) For the purposes of this title—

(1) any State; and

(2) any unit of general local government—

(A) which has a population of 100,000 or more persons on the basis of the most satisfactory current data available to the Secretary and (i) which is a city or (ii) which is a county or other unit of general local government which is determined by the Secretary, in accordance with such regulations as he shall prescribe, to have general governmental powers substantially similar to those of a city and to serve a substantial part of a functioning labor market area; or

(B) which has a population of less than 100,000 persons on the basis of the most satisfactory current data available to the Secretary and which has the largest population of any unit of general local government meeting the requirements of clause (i) or (ii) of subparagraph (2)(A) in a State; and

(3) any combination of units of general local government which covers a geographical area which has a population of one hundred thousand or more persons on the basis of the most satisfactory current data available to the Secretary and which is determined by the Secretary, in accordance with such regulations as he shall prescribe, to serve a substantial part of a functioning labor market area;

(4) any unit or combination of units of general local government, without regard to the population requirements of clauses (2) and (3), in rural areas designated by the Secretary which have substantial outmigration and high unemployment; shall be eligible to be a prime sponsor of a comprehensive manpower services program in accordance with the provisions of this section.

(b) Any State or unit (or combination of units) of general local government which is eligible to be a prime sponsor under subsection (a) and which desires to be so designated in order to enter into arrangements with the Secretary under this title shall submit to the Secretary a prime sponsorship plan including provisions which evidence capability of carrying out a comprehensive manpower services plan in accordance with section 105(b) of this title and provisions for the establishment of a manpower services council which—

(1) provide that the chief executive officer or officers of the unit or units of government establishing such council shall appoint the members of the council and shall designate one member to be chairman;

(2) provide that the council shall include members who are representative of community action programs; other significant segments of the poverty community; the public employment service; education and training agencies and institutions, including vocational educational agencies and community postsecondary educational and training institutions; social service programs, including child care, environmental quality, health, recreation, vocational rehabilitation, and welfare agencies; industrial development organizations; apprenticeship programs; business; labor; and veterans organizations;

(3) provide that the chairman of the council shall, with the approval of the council, appoint a staff director who shall supervise professional, technical, and clerical staff serving the council;

(4) set forth procedures under which applications for financial assistance for any fiscal year will be submitted by the prime sponsor which shall be responsible for planning for and carrying out services for which financial assistance is provided under this title and under which appropriate arrangements may be made for the council's participation in planning and development, including initial preparation of such applications;

(5) set forth the prime sponsor's plans for conducting on a continuing basis surveys and analyses of needs for manpower services in the area served by the prime sponsor to be used in the development of applications for assistance under this title;

(6) set forth arrangements assuring that community action agencies will be involved in the development of applications for financial assistance and in the implementation of programs assisted under this title;

(7) set forth the prime sponsor's plans for evaluating (with the assistance of the council) the effectiveness of programs for which financial assistance is provided under this title; and

(8) describe the area to be served by the prime sponsor.

(c) In any case in which a State has submitted a plan under this section to serve a geographical area under the jurisdiction of a unit (or combination of units) of general local government which is eligible under clause (2), (3) or (4) of subsection (a) and which has submitted a plan under this section meeting the requirements set forth in subsection (b), the Secretary shall approve the latter plan after carrying out the procedures set forth in subsection (d). When two or more units (or combination of units) of general local government each submit plans which include a common geographical area under their respective jurisdictions and which are consistent with the purposes of this title and meet the requirements set forth in subsection (b), the Secretary, in accordance with such regulations as he shall prescribe, shall approve for that geographical area the unit of general local government plan which he determines will most effectively carry out the purposes of this title.

(d) The Secretary shall not approve a prime sponsorship plan submitted under this section unless—

(1) the plan was submitted to the Secretary by such date as the Secretary shall prescribe by regulation, prior to the beginning of the fiscal year when such plan is to take effect, in order to provide a reasonable period of time for review in accordance with the provisions of this section;

(2) a copy of such plan has been submitted for comment thereon to the Governor of the appropriate State; the Governor has been provided such period of time, as the Secretary shall prescribe by regulation, after the copy of such plan was sent to him, during which time he may submit comments on such plan to the Secretary, a copy of which comments shall be sent to the plan applicant; and, if comments have been submitted by the Governor, such additional period of time, as the Secretary shall prescribe by regulation, has passed, during which time the Secretary shall, to the extent practicable, confer with and encourage the plan applicant to resolve any differences arising from such comments;

(3) in the case of a plan submitted by a State, satisfactory arrangements are set forth for serving all geographical areas under its jurisdiction except for areas for which a local prime sponsorship plan is approved under this section.

(e) In the event that a unit (or combination of units) of genreal local government eligible to be a prime sponsor under subsection (a) does not submit a plan meeting the requirements set forth in this section, a community action agency serving a geographical area under the jurisdiction of such unit may submit a prime sponsorship plan for that area.

(f) Except as provided in subsections (c) and (d), the Secretary may approve any prime sponsorship plan submitted under this section if it is consistent with the provisions of this title. A plan submitted under this section may be disapproved or a prior designation of a prime sponsor may be withdrawn only if the Secretary, in accordance with regulations which he shall prescribe, has provided—

(1) written notice of intention to disapprove such plan, including a statement of the reasons therefor;

(2) for a reasonable time to submit corrective amendments to such plan; and

(3) an opportunity for a public hearing upon which basis an appeal to the Secretary may be taken as of right.

(g) For the purpose of making such payments as may be reasonably necessary to cover the staff and other administrative expenses of the councils established pursuant to subsection (b) and to support other planning and evaluation activities of prime sponsors, the Secretary shall reserve not less than 1 per centum of the amounts available for titles I, II, and III of this Act to be allocated in the same manner as set forth in section 604.

APPLICATIONS

SEC. 105. (a) Financial assistance under this title may be provided by the Secretary for any fiscal year only pursuant to an application which is submitted by an eligible ap-

plicant and which is approved by the Secretary in accordance with the provisions of this title. Any such application shall set forth—

(1) a description of the services for which such financial assistance will be used;

(2) assurances that the services for which assistance is sought under this title will be administered by or under the supervision of the applicant, identifying any agency or agencies designated to carry out such services under such supervision;

(3) any arrangements made for services to be performed, on a reimbursable basis or otherwise, with the public employment service or any other public or private agency, institution, or organization;

(4) a description of the areas to be assisted by such programs, including data indicating the number of potential eligible participants, and their income and employment status;

(5) such other assurances, arrangements, and conditions, consistent with the provisions of this Act, as the Secretary deems necessary, in accordance with such regulations as he shall prescribe.

(b) An application submitted by a prime sponsor for financial assistance for any fiscal year shall set forth, in addition to the requirements set forth in subsection (a), a comprehensive manpower services plan for that fiscal year which shall include provisions for—

(1) coordinated and comprehensive assistance to those individuals requiring manpower and manpower-related services in order to achieve their full economic and occupational potential, effectively serving on an equitable basis the significant segments in that population;

(2) increased occupational opportunities and work experience for eligible individuals;

(3) intensified efforts to relieve skills shortages;

(4) effective utilization of manpower in our economy;

(5) appropriate arrangements with community action agencies, and, to the extent appropriate, with other community-based organizations serving the poverty community, for their participation in the conduct of programs for which financial assistance is provided under this title;

(6) utilizing, to the extent appropriate, those services and facilities which are available, with or without reimbursement of the reasonable cost, from Federal, State, and local agencies, including but not limited to the State employment service, State vocational education and vocational rehabilitation agencies, area skills centers, local educational agencies, postsecondary training and education institutions, and community action agencies, but nothing contained herein shall be construed to limit the utilization of services and facilities of private agencies, institutions and organizations (such as private businesses, labor organizations, private employment agencies, and private educational and vocational institutions) which can, at comparable cost, provide substantially equivalent training or services or otherwise aid in reducing more quickly unemployment or current and prospective manpower shortages;

(7) long-term projections of requirements for manpower and manpower-related services, and planning for meeting such requirements, in the area served by the prime sponsor;

(8) evaluating the effectiveness of programs for which financial assistance is provided under this title in achieving the objectives of such programs; and

(9) integrating the services provided under this title with other manpower and manpower-related services in the area served by the prime sponsor for which financial assistance is provided by the Secretary of Labor.

APPROVAL OF APPLICATIONS

SEC. 106. An application, or modification or amendment thereof, for financial assistance under this title, may be approved only if the Secretary determines that—

(1) the application is consistent with the purposes of this title;

(2) the application meets the requirements set forth in section 105;

(3) an opportunity has been provided to the community action agency in the area to be served to submit comments with respect to the application to the applicant and to the Secretary;

(4) an opportunity has been provided to the Governor of the State to submit comments with respect to the application to the applicant and to the Secretary;

(5) an opportunity has been provided to officials of the appropriate units of general local government to submit comments with respect to the application to the applicant and to the Secretary;

(6) the approval request for funds does not exceed 90 per centum of the cost of carrying out the program proposed in such application, unless the Secretary determines that special circumstances or other provisions of law warrant the waiver of this requirement.

SPECIAL REQUIREMENTS FOR STATE PRIME SPONSORS

SEC. 107. (a) Any State seeking assistance under this Act or the Wagner-Peyser Act (48 Stat. 113) shall submit an annual State comprehensive manpower plan to the Secretary for approval in accordance with the requirements of this section.

(b) The State comprehensive manpower plan shall—

(1) provide for the cooperation and participation of all State agencies providing manpower and manpower-related services in the development and implementation of comprehensive manpower services plans by prime sponsors in accordance with the provisions of this Act;

(2) set forth an overall State plan for the development and sharing of resources and facilities needed to conduct manpower programs without unnecessary duplication and otherwise in the most efficient and economical manner;

(3) contain information regarding economic, industrial, and labor market conditions which will be useful to prime sponsors in the development and implementation of comprehensive manpower services plans under this Act including but not limited to job opportunities and skill requirements, labor supply in various skills, occupational outlook and employment trends in various occupations, and economic and business development and location trends;

(4) provide for the conduct of programs financed under the Wagner-Peyser Act in accordance with such rules, regulations, and guidelines as the Secretary determines necessary for the purpose of providing coordinated and comprehensive assistance to these individuals requiring manpower and manpower related services to achieve their full occupational potential in accordance with the policies of this Act; and

(5) contain other items as the Secretary deems necessary, in accordance with such regulations as he shall prescribe.

CONCURRENCE OF OTHER AGENCIES

SEC. 108. (a) The Secretary of Labor shall not issue rules, regulations, standards of performance, or guidelines with respect to assistance for services of a health, education, or welfare character under this title and he shall not provide financial assistance for services of a health, education, or welfare character under this title unless he shall have first obtained the concurrence of the Secretary of Health, Education, and Welfare. Such services include but are not limited to basic or general education; educational programs conducted in correctional institutions; institutional training; health, child care, and other supportive services; and new careers and job restructuring in the health, education, and welfare professions.

(b) The Secretary of Labor shall not issue rules, regulations, standards of performance, or guidelines relating to the participation of community action agencies and other community-based organizations serving the poverty community under this Act unless he shall have first obtained the concurrence of the Director of the Office of Economic Opportunity.

SPECIAL CONDITIONS

SEC. 109. The Secretary shall not provide financial assistance for any program under this title unless he determines, in accordance with such regulations as he shall prescribe, that—

(1) conditions of employment or training will be appropriate and reasonable in the light of such factors as the type of work, geographical region, and proficiency of the participant;

(2) appropriate standards for the health, safety, and other conditions applicable to the performance of work and training on any project are established and will be maintained;

(3) appropriate workmen's compensation protection will be provided to all participants;

(4) the program does not involve political activities; and that neither the program, the funds provided therefor, or the personnel employed therein, will be, in any way or to any extent, engaged in the conduct of political activities, or in the support or furtherance of, or in opposition to, any political candidacy.

(5) participants in the program will not be employed on 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;

(6) the program will not result in the displacement of employed workers or impair existing contracts for services or result in the substitution of Federal for other funds in connection with work that would otherwise be performed;

(7) persons shall not be referred for training in an occupation which requires less than two weeks of pre-employment training unless there are immediate employment opportunities available in that occupation;

(8) funds will be used to supplement, to the extent practicable, the level of funds that would otherwise be made available from non-Federal sources for the purpose of planning and administration of programs within the scope of this title and not to supplant such other funds;

(9) the applicant will make such reports, in such form and containing such information as the Secretary may from time to time require, and will keep such records and afford access thereto as the Secretary may find necessary to assure that funds are being expended in accordance with the provisions of this title.

ALLOWANCES AND COMPENSATION

SEC. 110. (a) The Secretary shall where appropriate provide for the payment of weekly allowances to individuals receiving services under this title. Such allowances shall be at a rate prescribed by the Secretary which, when added to amounts received by the trainee in the form of public assistance or unemployment compensation payments, shall approximate the minimum wage for a workweek of forty hours under section 6(a)(1) of the Fair Labor Standards Act of 1938 or, if higher, under the applicable State minimum wage law, or, where the trainee is being trained for particular employment, at a rate equal to 80 per centum of the weekly wage for such employment, whichever is greater. In prescribing allowances, the Secretary may allow additional sums for special circumstances such as exceptional expenses incurred by trainees, including but not limited to meal and travel allowances, or he may reduce such allowances by an amount reflecting the fair value of meals, lodging, or

other necessities furnished to the trainee. The Secretary shall take such action as may be necessary to insure that such persons receive no allowances with respect to periods during which they are failing to participate in such programs, training, or instruction as prescribed herein without good cause. Notwithstanding the preceding provisions of this subsection, the Secretary may, in accordance with such regulations as he shall prescribe, make such adjustments as he deems appropriate in allowances which would otherwise be payable under this Act, including but not limited to adjustments which take into account the amount of time per week spent by the individual participating in such programs and adjustments to reflect the special economic circumstances which exist in the area in which the program is to be carried on. Allowances shall not be paid for any course of training having a duration in excess of one hundred and four weeks.

(b) For purposes of subchapter I of chapter 81 of title 5, United States Code, any person receiving services under this title shall, under such circumstances and subject to such conditions and limitations as the Secretary shall by regulation prescribe, be considered an employee of the United States within the meaning of the term "employee" as defined in section 801 of title 5, United States Code, and the provisions of that subchapter shall apply, except that in computing compensation benefits for disability or death, the monthly pay of such a person shall be deemed to be his allowance for a month, if he is receiving one. Regulations prescribed by the Secretary under this subsection may include but are not limited to adjustments in the amount of compensation payable under this subsection to take into account entitlements to workmen's compensation under other applicable laws or arrangements.

TITLE II—OCCUPATIONAL UPGRADING

AUTHORIZATION OF PROGRAM

SEC. 201. The Secretary shall carry out a program under which public and private employers will undertake to provide the necessary education and skill training to prepare employees for positions of greater skill, responsibility, and remuneration in the employ of such employers. Financial assistance under this title may be provided by the Secretary pursuant to an application submitted by eligible applicants who shall be—

(a) prime sponsors designated pursuant to the provisions of title I of this Act; and

(b) other public and private employers.

REQUIREMENTS FOR APPLICANTS

SEC. 202. Any application must contain assurances satisfactory to the Secretary that—

(a) the positions for which employees will be trained are positions that cannot with reasonable effort be filled by the employer with unemployed or underemployed workers already possessing such skills and willing to accept such employment;

(b) the selection of trainees shall be based upon merit, ability, and length of service, and that no person shall be selected as a trainee until such person has been in the employ of the employer for a period of not less than six months;

(c) the training content of the program is adequate, involves reasonable progression, and will result in the qualification of trainees for suitable employment in a recognized skill or occupation in the service of that employer and of other employers in the same industry;

(d) the training period is reasonable and consistent with periods customarily required for comparable training;

(e) adequate and safe facilities and adequate personnel and records of attendance and progress are provided;

(f) successful completion of the employee's training program can reasonably be expected to result in an offer of employment in the employer's own enterprise in the occupation for which he will be trained at wage rates not less than those prevailing for the same or similar occupations in that industry;

(g) the training and placement of such employees is part of a program that can reasonably be expected to lead directly to the employment of an equivalent number of new employees in entry level employment; and

(h) the trainees are compensated by the employer at such rates, including periodic increases, as may be deemed reasonable under regulations hereinafter authorized, considering such factors as industry practice and trainee proficiency, and that in no event shall the wages of employment benefits of any trainee be less than those received by him immediately before his starting such training program.

PAYMENTS TO EMPLOYERS

SEC. 203. Such agreements shall provide for payment to the employer undertaking a training program under this title in an amount equal to—

(a) ninety per centum of the instructional expense, other ordinary and necessary training costs, and trainee wage payments for the time spent in training less the value of productive services rendered by such trainee, plus

(b) a bonus payment to reward the efforts of employers whose programs under this title have resulted in substantial upgrading and high retention, to be computed as follows:

(1) at the end of the first twelve months following the completion of a program authorized under this title, 20 per centum of the sum arrived at by multiplying the number of employees upgraded under such program by the average increase in annual earnings of these upgraded employees; and

(2) at the end of the second twelve months following the completion of a program authorized under this title, 10 per centum of the sum arrived at by multiplying the number of employees upgraded under such program by the average increase in annual earnings of these upgraded employees.

TITLE III—PUBLIC SERVICE EMPLOYMENT

AUTHORIZATION OF PROGRAM

SEC. 301. The Secretary shall carry out a program under which Federal, State, and local governments will provide useful public service employment to unemployed persons. Financial assistance under this title may be provided by the Secretary only pursuant to an application submitted by an eligible applicant, who shall be—

(a) prime sponsors designated pursuant to the provisions of title I of this Act; and

(b) other public agencies and institutions (including public service agencies and institutions of the Federal Government).

REQUIREMENTS FOR APPLICATION

SEC. 302. Any application for financial assistance under this title shall provide that—

(a) all persons employed thereunder, other than necessary technical, supervisory, and administrative personnel, will be selected from among eligible unemployed persons;

(b) to the maximum extent possible, technical, supervisory, and administrative personnel shall be recruited from among fully qualified, eligible unemployed persons;

(c) among eligible unemployed special consideration for employment shall be given to persons who have dependents living in the same household who are not covered by, or who have exhausted their entitlement to, unemployment compensation;

(d) persons employed under such agreements shall be paid wages which shall not be lower than whichever is the highest of (A) the minimum wage which would be applicable to the employment under the Fair Labor Standards Act of 1938, as amended, if section 6(a)(1) of such Act applied to the participant and if he were not exempt under section 13 thereof, (B) the State or local minimum wage for the most nearly comparable covered employment, or (C) the prevailing rates of pay in the same labor market area for persons employed in similar public occupations;

(e) all persons employed under such agreements will be assured of workman's compensation, retirement, health insurance, unemployment insurance, and other benefits at the same levels and to the same extent as other employees of the employer and to working conditions and promotional opportunities neither more nor less favorable than such other employees enjoy;

(f) the provisions of section 2(a)(3) of Public Law 89-286 shall apply to such agreements;

(g) the applicant shall maintain or provide linkages with upgrading and other programs under this Act, and other Federal or federally supported manpower programs for the purpose of:

(1) providing those persons employed under the agreement who want to pursue work with the employer, or in the same or similar work as that performed under the agreement with opportunities to do so and to find permanent, upwardly mobile careers in that field; and

(2) providing those persons so employed who do not wish to pursue permanent careers in such field, with opportunities to seek, prepare themselves for, and obtain work in other fields;

(h) objectives shall be set for the movement of persons employed thereunder into public or private employment not supported under this Act; and

(i) the approvable request for funds does not exceed 80 per centum of the cost of carrying out this program: *Provided*, That, if the employer has not achieved the objectives prescribed pursuant to clause (h) under any agreement, the Secretary shall reduce the Federal share in any continuation or extension of the agreement, unless the Secretary ascertains that the applicant was without fault or that economic conditions in the area precluded accomplishment of such objectives.

INFORMATION FOR EMPLOYEES

SEC. 303. Every person employed under agreements under section 301 shall be advised, prior to entering upon employment, of his rights and benefits in connection with such employment.

MAINTENANCE OF EFFORT

SEC. 304. (a) No financial assistance contract shall be provided under section 301 unless the Secretary determines that the execution of the agreement will result in an increase in employment opportunities over those which would otherwise be available and that it will not result in a reduction in the employment and labor costs of the employer or the displacement of persons currently employed, including partial displacement resulting from a reduction in hours of work or wages or employment benefits.

(b) Where a labor organization represents employees who are engaged in similar work to that performed under the agreement in the same labor market area, such organization shall be notified prior to entering into the agreement.

EVALUATION OF APPLICATIONS

SEC. 305. In evaluating applications submitted under this title the Secretary shall consider the cost to the Government of each such application in relation to—

(1) the number of eligible unemployed persons who will be provided with employment under the application;

(2) the need of the community for the services to be performed under the application; and

(3) the nature and extent of the unemployment in the community in which the agreement is to be performed.

OBLIGATIONS OF THE SECRETARY TO ENROLLEES

SEC. 307. The Secretary shall on behalf of the enrollees be responsible for—

(1) assuring that every reasonable opportunity to find suitable regular employment or to enter a program authorized under Federal, State, or local manpower programs, has been explored before the individual is certified for public service employment;

(2) the provision of skills training to the extent necessary to equip unemployed persons to accept employment under agreements entered into under this title; and

(3) maintaining a continuing review of the status of each enrollee to assure that he is receiving consideration for referral to suitable regular employment or to manpower training programs.

DEFINITIONS

SEC. 307. For purposes of this Act—

(1) The term "eligible unemployed person" means any individual who has demonstrated that he is able and willing to work and (A) has been unemployed for five or more weeks, or (B) is employed on a part-time basis.

(2) The term "part-time basis" means less than thirty-five hours a week for a continuous period of ten weeks or more.

TITLE IV—SPECIAL FEDERAL RESPONSIBILITIES

PART A—MANPOWER RESEARCH AND DEVELOPMENT

RESEARCH AND DEVELOPMENT

SEC. 401. (a) To assist the Nation in expanding work opportunities and assuring access to those opportunities for all who desire it, the Secretary shall establish a comprehensive program of manpower research utilizing the methods, techniques, and knowledge of the behavioral and social sciences and such other methods, techniques, and knowledge as will aid in the solution of the Nation's manpower problems. This program will include, but not be limited to, studies, the findings of which may contribute to the formulation of manpower policy; development or improvement of manpower programs; increased knowledge about labor market processes; reduction of unemployment and its relationships to price stability; promotion of more effective manpower development, training, and utilization; improved national, regional, and local means of measuring future labor demand and supply; enhancement of job opportunities; upgrading of skills; meeting of manpower shortages; easing of the transition from school to work, from one job to another, and from work to retirement, opportunities and services for older persons who desire to enter or reenter the labor force, and for improvements of opportunities for employment and advancement through the reduction of discrimination and disadvantage arising from poverty, ignorance, or prejudice.

(b) The Secretary shall establish a program of experimental, developmental, demonstration, and pilot projects, through grants to or contracts with public or private nonprofit organizations, or through contracts with other private organizations, for the purpose of improving techniques and demonstrating the effectiveness of specialized methods in meeting the manpower, employment, and training problems. In carrying out this subsection with respect to programs designed to provide employment and training opportunities for low-income people, the Secretary shall consult fully with the Director of the Office of Economic Opportunity. In carrying out this subsection the Secretary of Labor shall, where appropriate, also consult with the Secretaries of Health, Education, and Welfare, Commerce, Agriculture, and Housing and Urban Development, the Chairman of the Civil Service Commission, and such other agencies as may be appropriate. Where programs under this paragraph require institutional training, appropriate arrangements for such training shall be agreed to by the Secretary of Labor and the Secretary of Health, Education, and Welfare.

(c) The Secretary shall conduct such research and investigations as give promise of furthering the objectives of this Act either directly or through grants, contracts, or other arrangements.

LABOR MARKET INFORMATION

SEC. 402. (a) The Secretary of Labor shall develop a comprehensive system of labor market information on a national, State, local, or other appropriate basis, including but not limited to information regarding—

(1) the nature and extent of impediments to the maximum development of individual employment potential including the number and characteristics of all persons requiring manpower services;

(2) job opportunities and skill requirements;

(3) labor supply in various skills;

(4) occupational outlook and employment trends in various occupations; and

(5) in cooperation and after consultation with the Secretary of Commerce, economic and business development and location trends.

(b) Information collected under this section shall be developed and made available in a timely fashion to meet in a comprehensive manner the needs of public and private users, including the need for such information in recruitment, counseling, education, training, placement, job development, and other appropriate activities under this Act and under the Economic Opportunity Act, the Social Security Act, the Public Works and Economic Development Act of 1965, the Wagner-Peyser Act, the Vocational Education Act of 1963, the Vocational Rehabilitation Act, the Demonstration Cities and Metropolitan Development Act of 1966, and other relevant Federal statutes.

MANPOWER UTILIZATION

SEC. 403. (a) The Secretary shall establish a program for thte improvement of manpower utilization in sectors of the economy experiencing persistent manpower shortages, or in other situations requiring maximum utilization of existing manpower. The Secretary shall conduct this program either directly or through such other arrangements as he may deem appropriate.

(b) The Secretary is authorized to provide financial support for studies of the utilization of manpower and of job design by any employer or group of employers in industries where there are a large number of unskilled employees, with a view to redesigning and rearranging the work patterns involved in the jobs, so that career ladders may be created where they do not exist, or are clearly inadequate.

EVALUATION

SEC. 404. (a) The Secretary shall provide for a system of continuing evaluation of all programs and activities conducted pursuant to this Act, including their cost in relation to their effectiveness in achieving stated goals, their impact on communities and participants, their implication for related programs, the extent to which they meet the needs of persons of various ages, and the adequacy of their mechanism for the delivery of services. He shall also arrange for obtaining the opinions of participants about the strengths and weaknesses of the programs.

(b) The Director of the Office of Economic Opportunity is authorized to conduct, either directly or by way of contract, grant, or other arrangement, a thorough evaluation of all programs and activities conducted pursuant to this Act to determine the effectiveness of such programs and activities in meeting the special needs of disadvantaged, chronically unemployed, and low-income persons for meaningful employment opportunities and supportive services to continue or resume their education and employment and to become more responsible and productive citizens. The Director of the Office of Economic Opportunity shall report to the Secretary on the evaluation authorized by this subsection at least once in each calendar year.

REMOVAL OF ARTIFICIAL BARRIERS TO EMPLOYMENT AND ADVANCEMENT

SEC. 405. The Secretary, in consultation with the Director of the Office of Economic Opportunity, shall conduct a continuing study of the extent to which artificial barriers to employment and occupation advancement, including civil service requirements and practices relating thereto, within agencies conducting programs under this Act restrict opportunities for employment and advancement within such agencies and shall develop and promulgate guidelines, based upon such study, setting forth recommendations for task and skill requirements for specific jobs and recommended job descriptions at all levels of employment, designed to encourage career employment and occupational advancement within such agencies.

TRAINING AND TECHNICAL ASSISTANCE

SEC. 406. In carrying out his responsibilities under this Act, the Secretary of Labor, in consultation with the Secretary of Health, Education, and Welfare, and the Director of the Office of Economic Opportunity, where appropriate, shall provide, directly or through grants, contracts, or other arrangements, preservice and inservice training for specialized, supportive, and supervisory or other personnel and technical assistance which is needed in connection with the programs established under this Act or which otherwise pertains to the purposes of this Act. Upon request, the Secretary of Labor may make special assignments of personnel to public or private agencies, institutions, or employers to carry out the purposes of this section; but no such special assignments shall be for a period of more than two year. In order to encourage the establishment and operation by low-income persons and their representatives of centers on the local level which are designed to provide comprehensive employment and related services for low-income persons who are unemployed or underemployed, the Secretary of Labor shall, in consultation with the Secretary of Health, Education, and Welfare and the Director of the Office of Economic Opportunity, wherever feasible, provide training and technical assistance by grants, contracts, or other arrangements with individuals and organizations who have demonstrated a capacity to establish and operate such programs.

SEC. 407. (a) In carrying out his duties under this Act, the Secretary shall:

(1) Survey, at regular intervals, the various training programs and opportunities available to or utilized by staff of manpower service programs, including both managerial and technical staff.

(2) Analyze the manpower programs, operating or planned, including the conceptual basis, the operating structure, and the clientele to be served, in order to determine current and future staff training requirements thus correcting or avoiding deficiencies in staff performance and enhancing the impact of programs.

(3) Plan for and provide directly or by contract an integrated system of short term and intermittent staff training and instruction in managerial and technical matters relating to the conduct of manpower training programs and services, including but not limited to on-the-job training, the establishment and maintenance of fellowships and traineeships, exchange programs, and such other devices as are deemed necessary or

appropriate. The staff training system thus established shall be aimed at and include manpower training and service staff at Federal, State, and local levels funded directly or indirectly by this Act and special attention shall be given to the utilization of this staff training system in a manner which will increase the number and effectiveness of previously disadvantaged persons serving in career staff capacities. Training under this section shall provide for such stipends and allowances (including travel and subsistence allowances) as may be deemed necessary, except that no such training or instruction (or fellowship or scholarship) shall be provided for any one course of study for a period in excess of four years.

PART B—NATIONAL COMPUTERIZED JOB BANK PROGRAM

FINDINGS AND PURPOSE

SEC. 411. The Congress hereby finds that the lack of prompt and adequate information regarding manpower needs and availability contributes to unemployment, underemployment, and the inefficient utilization of the Nation's manpower resources. The Congress further finds that the development of electronic data processing and telecommunications systems has created new opportunities for dealing with this difficult problem. It is therefore the purpose of this title to enlist the tools of modern technology in a cooperative Federal-State effort to reduce unemployment and underemployment and more adequately meet the Nation's manpower needs.

ESTABLISHMENT OF THE PROGRAM

SEC. 412. The Secretary shall develop and establish a computerized job bank program for the purpose of—

(1) identifying sources of available manpower supply and job vacancies;

(2) providing an expeditious means of matching the qualifications of unemployed, underemployed, and disadvantaged persons with employer requirements and job opportunities on a National, State, local, or other appropriate basis;

(3) referring and placing such persons in jobs; and

(4) distributing and assuring the prompt and ready availability of information concerning manpower needs and resources to employers, employees, public and private job placement agencies, and other interested individuals and agencies.

Maximum effective use shall be made of electronic data processing and telecommunications systems in the development and administration of the program. The program established under this part shall be coordinated with the comprehensive manpower services program established under title I.

CONDUCT OF THE PROGRAM

SEC. 413. For the purpose of carrying out the program established in section 412, the Secretary is authorized to make grants to State or local agencies for the planning and administration of the program, including the purchase or other acquisition of necessary equipment. The Secretary may conduct the program on a regional or interstate basis either directly or through grants, contracts, or other arrangements with public or private agencies and organizations. He may also conduct the program when he finds that a State or local program will not adequately serve the purposes of this part. The Secretary may require that any information concerning manpower resources or job vacancies utilized in the operation of job-bank programs financed under this part be furnished to him at his request. He may, in addition, require the integration of any information concerning job vacancies or applicants into a job-bank system assisted under this part.

EXPERIMENTS, DEMONSTRATIONS, RESEARCH AND DEVELOPMENT

SEC. 414. The Secretary may conduct directly, or through contracts, grants, or other arrangements with public or private agencies or organizations, such experimental or demonstration projects, research and development as he deems necessary to improve the effectiveness of the program established under this part.

RULES, REGULATIONS, AND STANDARDS

SEC. 415. The Secretary shall prescribe such rules and regulations and standards as may be necessary to carry out the purposes of this part, including standards to assure the compatibility on a nationwide basis of data systems used in carrying out the program established by this part, and including rules and regulations to assure the confidentiality of information submitted in confidence.

PART C—DEVELOPMENT OF EMPLOYMENT OPPORTUNITIES FOR DISADVANTAGED PERSONS IN FEDERALLY ASSISTED PROGRAMS

PURPOSE

SEC. 421. The purpose of this part is to establish a program of research, development, and pilot activities for the purpose of determining the level of employment generated by Federal grant and assistance programs and the degree to which such programs can provide an increased source of opportunities for the employment and advancement of disadvantaged persons.

RESEARCH

SEC. 422. The Secretary is hereby authorized to undertake studies of the contribution of Federal grants-in-aid and other Federal assistance programs to the overall employment level. Such studies may include but are not limited to collection and analysis of information on the number of positions wholly or partially supported by Federal assistance programs, their occupational structure, wage, and salary levels, projections for future growth, requirements and qualifications for entry into such positions, promotional and career development opportunities, the educational, vocational, and other relevant characteristics of those who occupy such positions, and the effects of such employment on employment generally. The heads of all Federal departments and agencies administering grants-in-aid or other Federal assistance programs are hereby directed to cooperate fully with the Secretary in the conduct of such studies. They shall transmit to the Secretary annually estimates of the employment increases or decreases expected to result from the planned expansion or reduction of such programs, and as conditions warrant, on call from the Secretary, contingency plans and estimates relating to the increase in employment which would be created if such programs are expanded under conditions of persistent high unemployment and underemployment.

PILOT PROGRAMS

SEC. 423. (a) The Secretary of Labor is authorized to conduct experimental, developmental, demonstration, and pilot programs to carry out the purposes of this part. In the conduct of these programs, the Secretary is authorized to enter into agreements with the heads of other Federal departments and agencies administering grants-in-aid and other forms of Federal assistance to establish annual and multiyear goals for the employment of disadvantaged persons in employment wholly or partially supported through such Federal assistance. For the purposes of carrying out these agreements, Federal departments and agencies may provide, notwithstanding any other provision of law, that the fulfillment of such goals shall be a condition for receiving such assistance.

(b) Programs under this part shall, to the extent practicable, be designed to eliminate artificial barriers to employment and occupational advancement, including merit system requirements and practices related thereto, which restrict opportunities for the employment and advancement of disadvantaged persons.

(c) Funds made available for the purpose of carrying out this part may be allocated and expended, or transferred to other Federal agencies for expenditure, as the Secretary of Labor deems necessary for carrying out the provisions hereof.

(d) Activities for which funds made available under this part may be expended shall include, but are not limited to, the following:

(1) extraordinary costs of training and supportive services necessary to improve the performance of disadvantaged persons who are employed pursuant to agreement under this section;

(2) costs of providing orientation, counseling, testing, followup, and other similar manpower services determined necessary to assist such individuals to achieve success in employment.

REPORTS

SEC. 424. The Secretary shall transmit to the Congress annually a report of his findings and recommendations arising out of the programs and studies under this part.

PART D—SECRETARY'S RESPONSIBILITY

SEC. 431. In carrying out his responsibilities under this Act, the Secretary is authorized under this title to provide for services and activities authorized under any other part of this Act.

TITLE V—MISCELLANEOUS

AUTHORIZED APPROPRIATIONS

SEC. 501. (a) For the purposes of carrying out this Act, there are authorized to be appropriated $2,000,000,000 for the fiscal year ending June 30, 1972, $2,500,000,000 for the fiscal year ending June 30, 1973, and $3,000,000,000 for the fiscal year ending June 30, 1974.

(b) Notwithstanding any other provision of law, unless enacted in specific limitation of the provisions of this subsection, any funds appropriated to carry out this Act which are not obligated prior to the end of the fiscal year for which such funds were appropriated shall remain available for obligation during the succeeding fiscal year, and any funds obligated in any fiscal year may be expended during a period of two years from the date of obligation.

FUNDS AVAILABLE FOR SPECIFIC PROGRAMS

SEC. 502. (a) The amounts appropriated to carry out this Act for any fiscal year (except for amounts otherwise reserved in accordance with this Act or expressly limited in an appropriation Act to a specific purpose under this Act) shall be allocated among the titles of this Act in such a manner, subject to subsections (b) and (c) of this section, that of the amounts so appropriated—

(1) three-quarters shall be for training and employment programs carried out under titles I, II, and III of this Act; and

(2) one-quarter shall be for activities authorized under title IV of this Act.

(b) Notwithstanding any liimtation on appropriations for any program or activity under this Act or any Act authorizing or appropriating funds for any such program or activity, not to exceed 25 per centum of the amount appropriated or allocated from any appropriation for any fiscal year for carrying out any such program or activity under this Act may be transferred and used by the Secretary for carrying out any other such program or activity under this Act: *Provided*, That on a nationwide basis an amount not less than 18.75 per centum of the amount appropriated under this Act shall be used to support public service employment under title III of this Act.

(c) To the extent necessary to enable the Secretary to make funds available to carry out any grant or contract entered into prior to the effective date of this Act under the Manpower Development and Training Act of 1962, as amended, or title I of the Economic Opportunity Act of 1964, as amended, the Secretary may transfer funds from amounts

allocated for newly authorized programs under this Act.

ADVANCE FUNDING

SEC. 503. (a) For the purpose of affording adequate notice of funding available under this Act, appropriations under this Act are authorized to be included in the appropriation Act for the fiscal year preceding the fiscal year for which they are available for obligation.

(b) In order to effect a transition to the adverse funding method of timing appropriation action, the amendment made by subsection (a) shall apply notwithstanding that its initial application will result in the enactment in the same year (whether in the same appropriation Act or otherwise) of two separate appropriations, one for the then current fiscal year and one for the succeeding fiscal year.

ALLOCATION OF FUNDS

SEC. 504. (a) The amounts available for any fiscal year for titles I, II, and III which are not otherwise reserved in accordance with this Act shall be allocated in such a manner that of such amounts—

(1) (A) not more than 5 per centum shall be available for financial assistance under subsection (c) of this section, and (B) not more than 5 per centum shall be available for financial assistance under subsection (d) of this section;

(2) not less than 70 per centum shall be apportioned among the States in an equitable manner, taking into consideration the proportion which the—

a. labor force,

b. unemployment,

c. lack of full-time employment,

d. insured unemployed,

e. average weekly unemployment compensation benefits paid,

f. number of teenagers fourteen through seventeen years of age.

g. persons heading low-income families,

h. unrelated low-income persons,

of the State bears to the respective totals thereof of the United States, the demonstrated capacity of sponsors to conduct effective programs, and the relative size of allocations previously received by each State for comparable manpower purposes; and

(3) the remainder shall be made available to the Secretary to carry out the purposes of titles I, II, and III.

(b) The amount apportioned to each State under clause (2) of subsection (a) shall be apportioned among areas within each such State so that areas served by prime sponsors approved under the provisions of section 104 of this Act are apportioned funds in the same manner as provided in clause (2) of subsection (a). To the maximum extent feasible, such apportioned funds shall be expended through approved applications submitted by such prime sponsors.

(c) The amount available pursuant to clause (1) (A) of subsection (a) shall be available to the Secretary for the purpose of providing additional financial assistance as an incentive for the designation of prime sponsors for appropriate labor market areas or portions thereof. Financial assistance provided to any such prime sponsor may not exceed an amount equal to an additional 20 per centum of the financial assistance otherwise available to the area so covered under subsection (b) of this section. The Secretary shall confer with units of general local government eligible to be prime sponsors in appropriate labor market areas and encourage such units to cooperate on an areawide basis to the maximum extent practicable.

(d) The amount available pursunt to clause (1) (B) of subsection (a) for the purposes of this subsection shall be available to the Secretary for the purpose of providing additional financial assistance as an incentive for the establishment by the prime sponsor of appropriate procedures for coordination and cooperation with agencies administering vocational education programs in the area to be served by any such sponsor. Financial assistance provided to any such prime sponsor may not exceed an amount equal to an additional 20 per centum of the financial assistance otherwise available to such prime sponsor under subsection (b) of this section. The Secretary, with the concurrence of the Secretary of Health, Education, and Welfare, shall establish criteria for the establishment of such procedures.

(e) The Secretary is authorized to make reallocations for such purposes under this title as he deems appropriate of the unobligated amount of any apportionment under subsections (a) (2) and (b) to the extent that the Secretary determines that it will not be required for the period for which such apportionment is available. No amounts apportioned under subsections (a) (2) and (b) for any fiscal year may be reallocated for any reason before the expiration of the ninth month of the fiscal year for which such funds were appropriated and unless the Secretary has provided fifteen days advance notice to the prime sponsor for such area of the proposed reallocation. Any funds reallocated under this subsection are not required to be apportioned in accordance with subsection (a) (2) or (b), and no revision in the apportionment of the funds not so reallocated shall be made because of such reallocations.

(f) As soon as practicable after funds are appropriated to carry out this Act for any fiscal year, the Secretary shall publish in the Federal Register the apportionments required by subsections (a) (2) and (b) of this section and the labor market areas described in subsection (d) of this section.

DEFINITIONS

SEC. 505. For the purposes of this Act, except as otherwise specified, the term—

(1) "Secretary" means the Secretary of Labor.

(2) "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

LEGAL AUTHORITY

SEC. 506. (a) The Secretary may prescribe such rules, regulations, guidelines and other published interpretations or orders under this Act as he deems necessary. Rules, regulations, guidelines, and other published interpretations or orders issued by the Department of Labor, or any official thereof, for the purpose of carrying out this Act shall contain, with respect to each material provision of such rules, regulations, guidelines, interpretations, or orders, citations to the particular section or sections of statutory law or other legal authority upon which such provision is based. Such rules, regulations, guidelines and other published interpretations or orders may include adjustments authorized by section 204 of the Intergovernmental Cooperation Act of 1968.

(b) The authority of the Secretary relating to disapproval of prime sponsorship plans under section 104(f) shall not be delegated outside the Office of the Secretary or of the Assistant Secretary for Manpower.

SPECIAL LIMITATIONS AND CONDITIONS

SEC. 507. (a) No authority conferred by this Act shall be used to enter into arrangements for, or otherwise establish, any training programs in the lower wage industries in jobs where prior skill or training is typically not a prerequisite to hiring and where labor turnover is high, or to assist in relocating establishments from one area to another. Such limitation on relocation shall not prohibit assistance to a business entity in the establishment of a new branch, affiliate, or subsidiary of such entity if the Secretary of Labor finds that assistance will not result in an increase in unemployment in the area of original location or in any other area where such entity conducts business operations, unless he has reason to believe that such branch, affiliate, or subsidiary is being established with the intention of closing down the operations of the existing business entity in the area of its original location or in any other area where it conducts such operations.

(b) Any amounts received under chapters 11, 13, 31, 34, and 35 of title 38, United States Code, by any veteran of any war, as defined by section 101 of title 38, United States Code, who served on active duty for a period of more than one hundred and eighty days or was discharged or released from active duty for a service-connected disability or any eligible person as defined in section 1701 of such title, if otherwise eligible to participate in programs under this Act, shall not be considered for purposes of determining the needs or qualifications of participants in programs under this Act.

OTHER AGENCIES AND DEPARTMENTS

SEC. 508. (a) In the performance of his function under this Act, the Secretary, in order to avoid unnecessary expense and duplication of functions among Government agencies, shall use the available services or facilities of other agencies and instrumentalities of the Federal Government. Each department, agency, or establishment of the United States is authorized and directed to cooperate with the Secretary and, to the extent permitted by law, to provide such services and facilities as he may request for his assistance in the performance of his functions under this Act.

(b) The Secretary shall carry out his responsibilities under this Act through the maximum utilization of all possible resources for skill development available in industry, labor, public and private educational and training institutions, State, Federal, and local agencies, and other appropriate public and private organizations and facilities.

COMPARATIVE PROGRAM INFORMATION

SEC. 509. The Secretary shall not provide financial assistance for any program under this Act unless he determines, in accordance with regulations which he shall prescribe, that periodic reports will be submitted to him containing data designed to enable the Secretary and the Congress to measure the relative and, where programs can be compared appropriately, comparative effectiveness of the programs authorized under this Act. Such data shall include information on—

(1) enrollee characteristics, including age, sex, race, health, education level, and previous wage and employment experience;

(2) duration in training and employment situations, including information on the duration of employment of program participants for at least a year following the termination of participation in federally assisted programs and comparable information on other employees or trainees of participating employers;

(3) total dollar cost per trainee, including breakdown between salary or stipend, training and supportive services and administrative costs.

The Secretary shall compile such information on a State, regional, and national basis.

NONDISCRIMINATION

SEC. 510. The Secretary shall not provide financial assistance for any program under this Act unless the grant, contract, or agreement with respect thereto specifically provides that no person with responsibilities in the operation of such program will discriminate with respect to any program participant or any applicant for participation in such

program because of race, creed, color, national origin, sex, political affiliation, or beliefs.

REPORTS

SEC. 511. The Secretary of Labor shall make such reports and recommendations to the President as he deems appropriate pertaining to manpower requirements, resources, use, and training, and his recommendations for the forthcoming fiscal year, and the President shall transmit to the Congress within sixty days after the beginning of each regular session a report pertaining to manpower requirements, resources, utilization, and training.

AUTHORITY TO CONTRACT AND EXPEND FUNDS

SEC. 512. The Secretary may make such grants, contracts, or agreements, establish such procedures (subject to such policies, rules, and regulations as he may prescribe), and make such payments, in installments and in advance or by way of reimbursement, or otherwise allocate or expend funds made available under this Act, as he may deem necessary to carry out the provisions of this Act, including (without regard to the provisions of section 4774(d) of title 10, United States Code) expenditures for construction, repairs, and capital improvements, and including necessary adjustments in payments on account of overpayments or underpayments. The Secretary may also withhold funds otherwise payable under this Act in order to recover any amounts expended in the current or immediately prior fiscal year in violation of any provision of this Act or any term or condition of assistance under this Act.

ACCEPTANCE OF GIFTS

SEC. 513. The Secretary is authorized, in carrying out his functions and responsibilities under this Act, to accept in the name of the Department, and employ or dispose of in furtherance of the purposes of this Act, or any title thereof, any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise.

ACCEPTANCE OF VOLUNTARY SERVICES

SEC. 514. The Secretary is authorized, in carrying out his functions and responsibilities under this Act to accept voluntary and uncompensated services, notwithstanding the provisions of section 3679(b) of the Revised Statutes (31 U.S.C. 665(b)).

ACCEPTANCE OF FUNDS

SEC. 515. The Secretary is authorized to accept and utilize in carrying out the provisions of this Act funds appropriated to carry out other Federal statutes if such funds are utilized for the purposes for which they are specifically authorized and appropriated.

TRANSFER OF FUNDS

SEC. 516. Funds appropriated under the authority of this Act may be transferred, with the approval of the Director of the Office of Management and Budget, between departments and agencies of the Federal Government, if such funds are used for the purposes for which they are specifically authorized and appropriated.

UTILIZATION OF SERVICES AND FACILITIES

SEC. 517. In addition to such other authority as he may have, the Secretary is authorized, in carrying out his functions under this Act, to utilize, with their assent, the services and facilities of Federal agencies without reimbursement, and with the consent of any State or political subdivision of a State, accept and utilize the services and facilities of the agencies of such State or subdivision without reimbursement.

RENTAL, ALTERATION, AND IMPROVEMENT OF BUILDINGS

SEC. 518. The Secretary is authorized, in carrying out his functions under this Act, to expend funds without regard to any other law or regulations for rent of buildings and space in buildings and for repairs, alteration, and improvement of buildings and space in buildings rented by him; but the Secretary shall not utilize the authority contained in this section—

(1) except when necessary to obtain an item, service, or facility, which is required in the proper administration of this Act, and which otherwise could not be obtained, or could not be obtained in the quantity or quality needed, or at the time, in the form, or under the conditions in which it is needed, and

(2) prior to having given written notification to the Administrator of General Services (if the exercise of such authority would affect an activity which otherwise would be under the jurisdiction of the General Services Administration) of his intention to exercise such authority, the item, service, or facility with respect to which such authority is proposed to be exercised, and the reasons and justifications for the exercise of such authority.

EXPENDITURES FOR PRINTING AND BINDING

SEC. 519. In addition to such other authority as he may have, the Secretary is authorized, in carrying out his functions under this Act, to expend funds made available for the purposes of this Act for such printing and binding as he determines necessary, without regard to any other law or regulation.

CRIMINAL PROVISIONS

SEC. 520. Title 18 of the United States Code is amended by adding a new section 665 to read as follows:

"THEFT OR EMBEZZLEMENT FROM MANPOWER FUNDS; IMPROPER INDUCEMENT

"SEC. 665. (a) Whoever, being an officer, director, agent, or employee of or connected in any capacity with any agency receiving financial assistance under the Comprehensive Manpower Act embezzles, willfully misapplies, steals, or obtains by fraud any of the moneys, funds, assets or property which are the subject of a grant or contract of assistance pursuant to this Act shall be fined not more than $10,000 or imprisoned for not more than two years, or both; but if the amount so embezzled, misapplied, stolen, or obtained by fraud does not exceed $100, he shall be fined not more than $1,000 or imprisoned not more than one year, or both.

"(b) Whoever, by threat of procuring dismissal of any person from employment or of refusal to employ or refusal to renew a contract of employment in connection with a grant or contract of assistance under the Comprehensive Manpower Act induces any person to give up any money or thing of any value to any person (including such grantee agency) shall be fined not more than $1,000, or imprisoned not more than one year, or both."

INTERSTATE AGREEMENTS

SEC. 521. In the event that compliance with provisions of this Act requires cooperation or agreements between States; the consent of Congress is hereby given to such States to enter into such compacts and agreements to facilitate such compliance, subject to the approval of the Secretary.

EFFECT ON EXISTING LAWS

SEC. 522. (a) Effective with respect to fiscal years after June 30, 1971, the Manpower Development and Training Act of 1962 is repealed. Unexpended appropriatons for carrying out such Act may be made available to carry out this Act, as directed by the President.

(b) All functions of the Director under part A of title I of the Economic Opportunity Act of 1964 are hereby transferred to the Secretary of Labor and part A of title I shall, without regard to the expiration date specified in section 171, become part E of title IV of this Act. Any reference to part A of title I of the Economic Opportunity Act or any provision thereof in any other law of the United States shall be deemed to be a reference to part E of title IV of this Act or the corresponding provision thereof.

(c) Effective with respect to fiscal years ending after June 30, 1971, title I of the Economic Opportunity Act of 1964 is amended by—

(1) amending all of the matter that appears preceding part D thereof to read as follows:

"TITLE I—MANPOWER DEVELOPMENT AND COMMUNITY ECONOMIC DEVELOPMENT PROGRAMS

"PART A—RESEARCH, EXPERIMENTAL, AND DEVELOPMENTAL AUTHORITY IN THE MANPOWER AREA

"STATEMENT OF PURPOSE

"SEC. 101. It is the purpose of this part to provide authority for the conduct of research, experimental, and developmental activities focused on providing more effective means for dealing with the employment and employment-related problems of the economically disadvantaged.

"ACTIVITIES AUTHORIZED

"SEC. 102. (a) The Director is authorized to contract with or provide financial assistance to public or private agencies or organizations for the payment of all or part of the costs of developing and carrying out programs designed to further the purposes of this part. Programs assisted under this part shall be of an experimental, developmental, demonstration, or pilot nature and shall be structured in such manner as the Director deems will best equip them to yield information as to the relative effectiveness of various approaches (including new approaches and refinements or variations of traditional approaches) directed to the solution of the employment and employment-related problems of the economically disadvantaged. Such programs may include provision for supportive and followup services.

"(c) In formulating plans for the implementation of this section, the Director shall consult with the Secretary of Labor, and, as appropriate, the heads of other Federal agencies.

"TECHNICAL ASSISTANCE AND TRAINING

"SEC. 103. The Director may provide (directly or through contracts or other appropriate arrangements) technical assistance to assist in the initiation or effective operation of programs under this part. He may also make arrangements for the training of instructors and other personnel needed to carry out programs under this part.

"RESEARCH AND EVALUATION

"SEC. 104. The Director is authorized to contract with or provide financial assistance to public or private agencies or organizations for research pertaining to the purposes of this part. He shall also provide for the careful and systematic evaluation of programs related to the purposes of this part, directly or by contracting for independent evaluations, with a view to measuring specific benefits, so far as practical, and providing information needed to assess the relative potential of the various approaches employed in such programs for contributing significantly to the solution of employment and employment-related problems of the economically disadvantaged. In formulating plans for the implemenattion of this section, the Director shall consult with the Secretary of Labor and, as appropriate, with the heads of other Federal agencies.

"SPECIAL CONDITIONS

"SEC. 105. Participants in programs under this part shall not be deemed Federal employees and shall not be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment

compensation, and Federal employment benefits.";

(2) redesignating part D thereof as part B and sections 150 through 155 as sections 121 through 126, respectively;

(3) striking out part E thereof; and

(4) redesignating part F as part C and section 171 as section 141.

(c) Effective with respect to fiscal years after June 30, 1971, section 810(a) of the Economic Opportunity Act of 1964 is amended by striking the word "and" at the end of paragraph (2) thereof, by inserting in lieu of the period at the end of paragraph (3) a semicolon and the word "and", and by adding the following new paragraph:

"(4) with the approval of the Secretary of Labor, in Job Corps centers operated under title IV of the Comprehensive Manpower Act."

(d) Grants and contracts entered into pursuant to the provisions of title I of the Economic Opportunity Act of 1964 and the Manpower Development and Training Act of 1962 prior to the effective date set forth in subsections (a) and (b) of this section shall not be affected by the provisions of this section.

ADVISORY COMMITTEES

SEC. 523. (a) The Secretary shall appoint a National Manpower Advisory Committee which shall consist of ten members and shall be composed of representatives of labor, management, agriculture, education, and training, and the public in general. From the members appointed to such Committee the Secretary shall designate a Chairman. Such Committee, or any duly established subcommittee thereof shall from time to time make recommendations to the Secretary relative to the carrying out of his duties under this Act. Such Committee shall hold not less than two meetings during each calendar year.

(b) For the purpose of making expert assistance available to persons formulating and carrying on programs under this Act, the Secretary shall, where appropriate, require the organization of a community, State, and/or regional basis of labor-management-public advisory committees.

(c) The National Manpower Advisory Committee may accept gifts or bequests, either for carrying out specific programs or for its general activities or for its responsibilities under subsection (b) of this section.

(d) Appointed members of the National Manpower Advisory Committee shall be paid compensation at the rate of $100 per diem when engaged in the work of the National Manpower Advisory Committee, including traveltime, and shall be allowed travel expenses and per diem in lieu of subsistence as authorized by law for persons in the Government service employed intermittently and receiving compensation on a per diem, when actually employed, basis.

SEC. 524. (a)—JOB COUNSELING, TRAINING AND PLACEMENT SERVICE FOR VETERANS

"Sec.
"2001. Definitions.
"2002. Purpose.
"2003. Assignment of veterans' employment representative.
"2004. Employees of local offices.
"2005. Cooperation of Federal agencies.
"2006. Estimate of funds for administration; authorization of appropriations.
"2007. Administrative controls; annual report.
"2008. Cooperation and coordination with the Veterans' Administration.

"2001. Definitions

"For the purposes of this chapter—

"(1) the term 'eligible veteran' means a veteran of any war, or of service after January 31, 1955, as defined in section 101 of this title; and

"(2) the term 'State' means each of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico, and may include, to the extent determined necessary and feasible, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

"2002. Purpose

"The Congress declares as its intent and purpose that there shall be an effective (1) job and job training counseling service program, (2) employment placement service program, and (3) job training placement service program for eligible veterans and that, to this end, policies shall be promulgated and administered, so as to provide such veterans the maximum of employment and training opportunities.

"2003. Assignment of Veterans' Employment Representative

"The Secretary of Labor shall assign to each State a veterans' employment representative, and such assistant veterans' employment representative as he shall determine to be necessary to assist the veterans' employment representative to carry out effectively in that State the purposes of this chapter. Each veterans' employment representative and assistant veterans' employment representative shall be an eligible veteran who at the time of appointment shall have been a bona fide resident of the State for at least two years and who shall be appointed in accordance with the provisions of title 5, United States Code, governing appointments in competitive service and shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and general schedule pay rates. Each such veterans' employment representative and assistant veterans' employment representative shall be attached to the staff of the public employment service in the State to which they have been assigned. They shall be administratively responsible to the Secretary of Labor for the execution of the Secretary's veterans' counseling and placement policies through the public employment service and in cooperation with manpower and training programs administered by the Secretary in the State. In cooperation with the public employment service staff and the staffs of each such other program in the State, the veterans' employment representative and his assistants shall—

"(1) be functionally responsible for the supervision of the registration of eligible veterans in local employment offices for suitable types of employment and training and for counseling and placement of eligible veterans in employment and job training programs;

"(2) engaged in job development and job advancement activities for eligible veterans, including maximum coordination with appropriate officials of the Veterans' Administration in that agency's carrying out of its responsibilities under subchapter IV of chapter 3 of this title and in the conduct of job fairs, job marts, and other special programs to match eligible veterans with appropriate job and job training opportunities;

"(3) assist in securing and maintaining current information as to the various types of available employment and training opportunities, including maximum use of electronic data processing and telecommunications systems and the matching of an eligible veterans' particular qualifications with an available job or on-the-job training or apprenticeship opportunity which is commensurate with those qualifications;

"(4) promote the interest of employers and labor unions in employing eligible veterans and in conducting on-job training and apprenticeship programs for such veterans;

"(5) maintain regular contact with employers, labor unions, and training programs and veterans' organizations with a view to keeping them advised of eligible veterans available for employment and training and to keeping eligible veterans advised of opportunities for employment and training; and

"(6) assist in every possible way in improving working conditions and the advancement of employment of eligible veterans.

"2004. Employees of Local Offices

"Except as may be determined by the Secretary of Labor based on a demonstrated lack of need for such services, there shall be assigned by the administrative head of the employment service in each State one or more employees, preferably eligible veterans, on the staffs of local employment service offices, whose services shall be fully devoted to discharging the duties prescribed for the veterans' employment representative and his assistants.

"2005. Cooperation of Federal Agencies

"All Federal agencies shall furnish the Secretary of Labor such records, statistics, or information as he may deem necessary or appropriate in administering the provisions of this chapter, and shall otherwise cooperate with the Secretary in providing continuous employment and training opportunities for eligible veterans.

"2006. Estimate of Funds for Administration; Authorization of Appropriations

"(a) The Secretary of Labor shall estimate the funds necessary for the proper and efficient administration of this chapter. Such estimated sums shall include the annual amounts necessary for salaries, rents, printing and binding, travel, and communications. Sums thus estimated shall be included as a special item in the annual budget for the Department of Labor.

"(b) There are hereby authorized to be appropriated such sums as the Congress shall determine to be necessary for the proper and efficient administration of this chapter.

"(c) In the event that the regular appropriations Act making appropriations for administrative expenses for the Department of Labor with respect to any fiscal year does not specify an amount for the purposes specified in subsection (b) of this section for that fiscal year, then of the amounts appropriated in such Act there shall be available only for the purposes specified in subsection (b) of this section such amount as was set forth in the budget estimate required pursuant to subsection (a).

"(d) Any funds made available pursuant to subsections (b) and (c) of this section shall not be available for any purpose other than those specified in such subsections, except with the approval of the Secretary based on a demonstrated lack of need for such funds for such purposes.

"2007. Administrative Controls; Annual Reports

"(a) The Secretary of Labor shall establish administrative controls for the following purposes:

"(1) To insure that each eligible veteran, especially those veterans who have been recently discharged or released from active duty, who requests assistance under this chapter shall promptly be placed in a satisfactory job or job training opportunity or receive some other specific form of assistance designed to enhance his employment prospects substantially, such as individual job development or employment counseling service.

"(2) To determine whether or not the employment service agencies in each State have committed the necessary staff to insure that the provisions of this chapter are carried out; and to arrange for necessary corrective action where staff resources have been determined by the Secretary to be inadequate.

"(b) The Secretary of Labor shall report annually to the Congress on the success of the Department of Labor and its affiliated State employment service agencies in carrying out the provisions of this chapter. The report shall include, by State, the number of recently discharged or released eligible veterans and other eligible veterans who requested assistance through the public employment service and, of these, the number placed in suitable employment or job training opportunities or who were otherwise assisted, with separate reference to occupational training under appropriate Federal law. The report shall also include any determination by the Secretary under section 2004 or 2005 of this title and a statement of the reasons for such determination.

"2008. Cooperation and Coordination With the Veterans Administration

"In carrying out his responsibilities under this chapter, the Secretary of Labor shall from time to time consult with the Administrator and keep him fully advised of activities carried out and data gathered pursuant to this chapter to insure maximum cooperation and coordination between the Department of Labor and the Veterans' Administration."

(b) The amendments made by this section shall become effective ninety days after the enactment of this Act.

EFFECTIVE DATE

SEC. 525. The effective date of this Act, except as otherwise provided, shall be July 1, 1971. Rules, regulations, guidelines, and other published interpretations or orders may be issued by the Secretary at any time after the date of enactment.

REPORTS

SEC. 526. (a) The Secretary of Labor and the Secretary of Health, Education, and Welfare shall report to the Congress by January 20, 1972, on the extent to which community colleges, area vocational and technical schools, and other vocational educational agencies and institutions are being utilized to carry out manpower training programs supported in whole or in part from provisions of the Economic Opportunity Act of 1964, the Manpower Development and Training Act of 1962, and this Act, the extent to which administrative steps have been taken and are being taken to encourage the use of such facilities and institutions and agencies in the carrying out of the provisions of this Act and any further legislation that may be required to assure effective coordination and utilization of such facilities and agencies to the end that all federally supported manpower and vocational educational programs can more effetcively accomplish their objectives of providing all persons needing occupational training an opportunity for such training.

(b) The Commissioner of the United States Office of Education shall report to the Congress by January 20, 1972, on the extent to which vocational orientation, preparation, and education are being incorporated in regular elementary and secondary education programs and curricula to the end that educational institutions serving youth during years of compulsory school attendance are affording meaningful opportunities, education, and incentives for students to enter vocational careers and on any legislation that may be necessary to facilitate an appropriate blend of vocational and academic education.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time and passed.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 19519) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

LEGISLATIVE PROGRAM

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader the program for the rest of the week and any variations, if there are to be any.

Mr. ALBERT. Mr. Speaker, will the distinguished gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the gentleman from Michigan, we still plan to go ahead with H.R. 18970, the Trade Act of 1970, which is programed for tomorrow.

That will be followed by H.R. 19504, the Federal-Aid Highway Act of 1970, should we get a rule on it. If a rule is not granted the highway bill would have to go over probably to week after next.

If the gentleman will yield further, for this benefit of the Members of the House, I would like to advise that we do not plan any business for Thursday, November 26, Thanksgiving Day, or Friday, November 27. In other words, at the close of business Wednesday, we expect no business for the remainder of the week. We do not know yet whether we will adjourn by resolution or whether we will go over and have a pro forma session on Friday, but we will not have any business after the close of business on Wednesday, November 25, until noon the following Monday.

Mr. GERALD R. FORD. But the Members can expect important legislative business on Monday, Tuesday, and Wednesday of that week?

Mr. ALBERT. Very important legislative business. As of now indications are we will probably have the occupational health and safety bill, and one of the appropriation bills, taking 3 days to complete them all.

Mr. GERALD R. FORD. Would the distinguished majority leader have any information for guidance as to when the House or the Congress might return following sine die adjournment, which will probably come between the middle and the 23d of December?

Mr. ALBERT. If the gentleman will yield, of course, anything I would say would be speculative and it would be subject to the will of the Congress, both Houses of the Congress, and I could not make a definite statement.

If we are in late in December, I would say for the convenience of the Members and also for the convenience of the administration we would certainly not come back, or I certainly would not want to come back, before the 18th or the 20th of January, and I would not think it would be possible or it would be likely for us to come back before the 11th or the 12th of January.

Mr. GERALD R. FORD. Mr. Speaker, I thank the distinguished majority leader.

AN APOLOGY TO JOHN CIARDI

(Mr. PATTEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. PATTEN. Mr. Speaker, as one Member of Congress I apologize to John Ciardi who is loved and respected in our community by everybody who knows him.

I have checked, and there is not one single bit of evidence to justify John Ciardi's name on the list of alleged radicals released by the House Internal Security Committee. I say to the Members of this House and to the American public that John Ciardi is not a radical who advocates the violent overthrow of our Government. We love him for his writing, for his poetry, for his reviews. I can assure you that I have observed Mr. Ciardi's work for many years, and there is not the slightest suggestion of a radical trend in anything he ever wrote or said.

I would like to place in the CONGRESSIONAL RECORD John's own statement, "Manner of Speaking," which was printed in the November 7, 1970, issue of Saturday Review. It reflects much better than my words the truly wonderful nature of a fellow American:

MANNER OF SPEAKING

I am an ironist by profession. I do have other callings. In any given hypothetical life a hypothetical child will cry from a hypothetically burning building. At that point a specific emotion must answer, and I know of no ironic way to run through the flames to rescue the child. Irony can, in fact, be a way of life. As a profession it is more nearly a mannerism, a tonality to go with what T. S. Eliot called "The face that one prepares to meet the faces that you meet."

Irony is a recognition of one's own ambiguities in the presence of situations too complex for an unmixed response. It is an adjustment to one's own seriously taken unimportance in the overwhelming mass of otherness. It is a permission granted, in some hope of urbanity and grace, to other men to take their own unimportance seriously. It is, when that permission is understood, a peacemaker. It is, above all, a denial of demagogic impulse, an assertion that a stance taken a step or two to one side of clamoring confrontation is likely to lead to a better understanding than will emerge from a belly-bumping squabble.

A man becomes an ironist, I suppose, in the act of learning to distrust the oversimplifications of sincerity raised to a shout. An ironist cannot talk to a Fascist, to a hard-hat, to a haranguer of the by-God truth, to an anarchist on his way to throwing the bomb, or to any man so saved, solved, and concluded within himself that all answers are his. At any such meeting the ironist is reduced to rueful reflections on the bull ape's adaptation to technology and to the

hope that the ape will somehow manage to flail out his psychic craving for an absolute assurance of his own rightness without destroying the freedom of others to live in the balance of their confusions.

As an ironist, I am not given to flag waving. I distrust the truculent assumption of flag wavers that they are more patriotic, more honorable, and more fit for grace than are those who have evolved smaller gestures. Flag wavers are like baby-kissing politicians: They may truly love children, but the act of kissing them in public and on camera is at least partly calculated for reasons that have little to do with the baby that is being kissed. I am not ready to charge them with dishonesty; I just don't want them to kiss my baby.

In soul privacy, and in an experience beyond irony, I have kissed my own babies as they came. In much the same way I have raised the flag in honest devotion, never with any inclination to prove I love it more than anyone else, to fly it higher than my neighbor flies his, or to make others admire me for flying a larger flag than theirs. What is truly love in sufficient to itself. What is constantly declamatory cannot be entirely love. I have loved my country enough to go into combat against its enemies; I have honored the good in those institutions that have best served my sense of the American ideal; and I have opposed what I understood to be public evil. I am an American. I have never assumed that I am a better American than my neighbor. I have some personal distaste for public display. When the baby is to be kissed, I know the feel of it in my arms, I know the tug of what is between us, and I prefer to kiss it in private, which is to say where we both live.

In the practice of my public irony I write for *SR*, which is to say in a magazine whose purposes I endorse and whose readers I respect. I would not willingly have any suspicion of double-dealing arise between me and my colleagues or between me and my readers. For a moment, therefore, I must abandon irony and ambiguity for a declaration of clear purposes. The House Internal Security Committee (HISC) has declared in the public press that I am a radical, A radical is one who advocates the violent overthrow of the government. I am no such thing and I never have been. I have, to be sure, affronted HISC by opposing its methods, or rather by opposing those of the House Un-American Activities Committee (HUAC) before it, and those of the Dies Committee before that. I have, as a matter of fact, been buried in my translation of Dante's *Paradiso* and so far out of political touch that I had not realized HUAC had been superseded by HISC, though I take all three of these committees to be sequentially one, and consistently in the pattern of McCarthyism. Within that pattern, HISC's charge against me is reckless, cynical, or so seriously misinformed as to constitute an abuse of official responsibility.

It is not my habit to assert my patriotism as if I were entitled to a special grace for being a loyal American. I prefer to think of patriotism as a common quality, as much and as truly yours as mine and part of our common understanding of one another. The occasion having offered itself, however, I welcome so natural an opportunity to phrase as best I can what America means to me and what I think it should mean to those who are not merely loudly but thoughtfully patriotic. I think perhaps every man ought to examine the condition of his national faith from time to time. I am sorry I have not done so before.

I am, in some imperfectly practiced way, some sort of intellectual. An intellectual is a man capable of being thrilled by ideas.

I believe that the American experiment in democratic government is compounded of some of the most thrilling ideas ever evolved by mankind. They are not the ideas of any single man. They are part of the informed aspiration of all European thought. Men glimpsed those component ideas and fumbled for them for millennia, sometimes achieving pieces of the total concept, sometimes dying a traitor's death for having advocated some part of the idea.

For most of 2,000 years more Europeans were not citizens but subjects of a royal authority that was not only absolute but divinely decreed. As (I believe) Robert Herrick put it:

"Twixt kings and subjects there's this mighty odds:
Subjects are ruled by kings, kings by the gods."

The king not only ruled but owned his subjects as creatures of his absolute whim. Bit by bit then, at a cost that the stones of the Tower of London can attest, men began to evolve a less capricious sense of their worth as human beings and a firmer sense of their right to a voice in their own destiny. The ideas of a practical democracy began to take form in the minds of men.

The forces of the American Revolution synthesized those ideas into a working theory of government in which the authority of the king's whim was replaced by a machinery designed to express the popular will.

Free men were to determine their own destinies. They were to be equal under law. The law itself was forbidden inquisitorial practices: A man accused at law was to be considered innocent until proved guilty before a jury of his peers; he could not be held without being properly charged; he was entitled to trial without unreasonable delay; he could not be forced to testify against himself; no confession was to be wrung from him under torture; a man found guilty of a given charge was to be sentenced according to stated law, and cruel and unusual punishment was forbidden; a man's right to privacy was not to be invaded except by authority of a writ issued by a court for substantial reason; every man was entitled to be represented by counsel.

Every one of these ideas is an assertion of the rights of man and of the worth of a man's life. Behind every one of them, there was in the minds of our Founding Fathers a memory of royal tyranny, of night raids, of men tossed into dungeons without charges and forgotten there without redress, of men accused of "invisible" crimes and hauled before inquisitors and tortured into confessions of guilt. The American republic replaced the whims of absolute power with the dignity of government under stated law.

The men who founded the Republic understood the abuse of power—they had lived under its abuse. Carefully, therefore, they limited the powers of each branch of government by a system of checks and balances. They sought to make government responsive to the will of the people, and—once more recoiling from the memory of what had happened to those who disagreed with royal policy or who had been moved to worship outside the established church—they stipulated the right of free speech (which is to say the right of outspoken dissent under the law) and of free worship. The American Revolution was not a clash between farmers and redcoats; it was a true revolution in the minds and hopes of man.

There was in the minds of the Founding Fathers an eighteenth-century idea of "a social contract." The essence of that idea was an agreement between government and the governed: The ideal government would ask of men only as much as was required for the secure and peaceful functioning of the nation. Men would give just that much and no more to the public good, and, that granted, each man was free for his own pursuit of happiness so long as it did no legal wrong to his neighbor's pursuit.

These are, of course, ideal concepts. Concept, once institutionalized, develops a bureaucracy, and bureaucracies develop not concepts but habituations and expediences. The greatness of the American founding concepts is not measured by the fact that bureaucratic practice has sometimes abused them but that they have survived every abuse by men who have been willing to sacrifice great principle for small expedience. The supreme test of the validity of these concepts is in their adaptability to change. Articulated for a small and remote nation of fishermen, subsistence farmers, and handcrafters, they remain sufficient to the needs of a huge and enormously complex industrial world power.

The American system is a political democracy with a capitalist economy. I believe that system has provided more of the good and more of the hope of life for more people than has any other governmental system known to history. There have been, and there are, inequities in the system. The system itself is larger than its inequities, and it contains within itself adequate means for reforming those institutions that give rise to inequities. To make such an assertion complacently is fatuous. To declare one's faith in the system and to work within it for the reform of objectionable institution is to act as the Founding Fathers meant Americans to act. Every federal administration since the beginning has had to work in this way in order to meet shifting necessity.

Federal administrations, of course, have authority on their side. The private citizen has his right to petition, to dissent, and to organize for redress of grievance. He need not be right in another man's opinion. It is enough that he be convinced of his own rightness and that he seek reform through legal means. When the American mind achieves its own best level, reasoned dissent is an honorable thing. There has, alas, always been a taint of knownothingism in American politics. I will still cling to my faith that the system, especially when charged by the personal magnetism of a great President, can triumph over the human taint in all things, at least to the extent of keeping our imperfections short of catastrophe, even perhaps to the extent of pushing them one soul-inch closer to hope.

The system, being huge is, ponderous. To reform abuses that have accreted to it is a work of patriotic patience. Inevitably, then, those who suffer from inequities in the system will lose patience and turn to violence. Today we are terrorized by bombers, snipers, arsonists, and destructive mobs. The mass of the American people, made restive by these nobly motivated but criminal and unbearable acts of violence, seems to be on the verge of a violent reaction to violence. When large numbers of people take part in such violence (as in the case of lynch mobs, ghetto uprisings, and violent student confrontations), all of us are tested. We could call out machine gun squads and mow them down. But what are we then? We could look away and let criminals have the streets. But what are we then?

I know of no easy answers. It is, I believe, a testing time in the American soul, and neither radicalism nor superpatriotism is a good enough answer. I believe that the American system will prove, as it has proved in the past, that it is responsive to its own ideals and that it is capable of adjusting within itself to the strains of changing times. I honor that system, honor its stated ideals without reservation, and dissent from such institutions as HISC because I see them as agencies of distrust that work against the good of the nation.

In the exercise of my dissent I have from time to time signed petitions and allowed organizations to list me on their letterheads.

Presented with a petition, I have not looked under the psychic or social bed of the man who offered it to me. I read it. If I agreed with what it said, I signed it.

In signing it I have agreed only with what I have read and not necessarily with any other declared or hidden purposes of those who circulated the petition. I will not deny what I believe to be just. The fact that the devil can quote scripture is no reason for turning the faithful against it.

True, some devious organization might use my name, for what little it is worth, to promote something other than its declared ends. As far as I am concerned, I have, in any given case, signed only to what was openly declared—exactly that much and no more.

Such a position may be attacked as politically naïve. So be it, I am not in any deep sense a political animal. I have come to numbered years, and I mean only to live them out in something like a possible openness of mind, beyond any thought of saving the world and, ideally, toward some graceful exit line. I hold, in any case, that it is better to be naïve than to be afraid to sign oneself to honest principle. I have it in mind that during the fever of McCarthyism a Chicago newspaperman typed out the beginning of the Declaration of Independence in the form of a petition, went out on the streets with it, and could find no one willing to sign it.

I must think of that day as a dark time of the Republic. I choose not to live in such darkness. I will sign openly and live openly to what I believe to be for the good of the nation. I am, in part and on specific issues, a dissenter. I am in no sense a radical. I am totally invested in the economy and totally devoted to the founding principles of the American nation. When my thoughts—only sporadically—turn to politics, I turn out to be some sort of moderate liberal. I am confused by most of what is happening. I doubt that I shall outlive confusion. If the choice is between optimism and pessimism, pessimism is a bit more natural to my mind, but I am willing to strain toward hope on any evidence that justifies me in so straining. I am disturbed by the truculence of super-patriots who bellow oversimplified and often bloody solutions to complicated problems. Because such super-patriots wave the flag so aggressively in the course of their harangue, and because I find them distasteful, I am disinclined to imitate their gestures. But it is my flag, too, though I prefer not to hit my neighbor over the head with the flagstaff. I am an American. I hope to be a good American. HISC's action in branding me a radical is a slander. If the committee is composed of good but merely misinformed and misguided men, it owes me a public apology. With or without such an apology, I shall oppose the continued existence of HISC. Offered such an apology, I can at least stop thinking of HISC as a body of cynical liars.

SHORTEN CAMPAIGNS

(Mr. MONAGAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, the recently completed election has once again emphasized the need for some legislative sanction to shorten our political campaigns and I once again urge my colleagues to join with me in taking action to bring about such a restriction.

There is no reason why we cannot conduct our presidential and other campaigns with the economy of time and the minimum of expenditure which characterize the national elections in nearly every other democratic country in the world.

Why should we be unable to exercise the restraint that is shown in Israel, in England, in Canada, and in scores of other countries?

Surely, the vast expenditures of money in this country are not only unnecessary but frequently counterproductive. This was graphically demonstrated in the last campaign in Illinois and in New York.

Certainly, the constant hammering bores and eventually turns off the elector.

Finally, the tendency of our campaigns is such that the only one who will be able to run for public office will be a young, all-American millionaire because the financial and physical problems have become so enormous.

The Congress has recently taken action to limit expenditures for campaign television and radio spending even though the President has mistakenly seen fit to veto this bill, a veto I hope will be overridden. I submit that we should now move into the area of expenditure of the time of the electorate and the physical and emotional energies of our candidates.

My proposal is to limit the presidential campaigning time to 60 days by making it impossible to hold a Presidential Nominating Convention earlier than that time. I have long hoped that voluntary restraint by the parties might limit campaigns but this has proved to be unwarranted. Accordingly it seems to me that a legislative remedy is necessary and desirable. Accordingly I ask the support of this House for the passage of the bill, H.R. 18905 which I have introduced to accomplish this result.

I include editorials on this subject which appeared this week in the Danbury News-Times, Waterbury American, and Meriden Journal:

[From the Danbury News-Times, Nov. 11, 1970]

SHORTEN THE ELECTION CAMPAIGNS

It's time to revive the proposal advanced a few years ago by Congressman John S. Monagan to shorten the length of political campaigns.

Steps should also be taken to reduce the costs of campaigns.

In Connecticut, for instance, the campaign period began a year ago, got started in earnest in January, wound up to one climax with state conventions in June, to a second with the statewide and district primaries in August and then really got going after Labor Day, coming to the final climax on Nov. 3.

Similar lengthy campaigning occurred, to a greater or lesser degree, in the other 49 states.

In contrast, the government in Great Britain announced in April the election of a new parliament had been set for June 18. The actual campaign began late in May and ran for three weeks. Labor, favored to retain control of Parliament and therefore of the executive offices in April when the elections were first set, lost to the Conservatives.

The new prime minister, Edward Heath, took office late in June and the new Parliament was in session on July 2.

The senators and congressmen, governors and state legislators and others elected in the 50 states Nov. 3 won't take office, for the most part, until the first week of January, a year after many of them began their campaigns.

The British system may be too short for American tastes, but what prevails in this country now is clearly too long and too expensive for the candidates and too long and often too boring for the public.

[From the Waterbury American, Nov. 16, 1970]

SHORTER CAMPAIGNS POSSIBLE

Nothing has demonstrated the need for shorter election campaigns more than the months of political in-fighting which Connecticut has just undergone.

U.S. Rep. John S. Monagan has long been a crusader for shorter campaigns on the national level. Returning to Congress for a seventh term gives him added seniority and added weight in influencing legislation. Perhaps he can introduce legislation which would establish the dates for holding national nominating conventions, pushing them back closer to election day.

But the voters of Connecticut need not await federal action to shorten political campaigns. The Connecticut General Assembly can make changes in the state law which will accomplish the same result.

The legislature sets the deadlines for holding nominating conventions and for selecting delegates to those conventions. All that is needed is to delay these conventions and the primaries which can follow them until closer to election day. Even a 30-day delay would be a major improvement.

Another legislative action which can save the taxpayers money—and economics are urgently needed on every level of government—is to require that primaries be consolidated and that they be held on the same day for both parties. The cost of telephones, of renting polling places or paying extra for janitors in schools, the cost of added police protection and even of poll workers would be reduced thereby.

It would be well for new members of the legislature to start drafting legislation now to accomplish these economies in the primary election system. Early introduction of such bills would permit them to be speedily acted upon.

[From the Meridan (Conn.) Journal, Nov. 9, 1970]

FOR SHORTER CAMPAIGNS

Everybody has a different interpretation of the results of the election.

But everybody agrees on one thing: The campaign was too long.

It was too long for the candidates, who have been at it day and night for months, ever since the conventions this summer. Some of them, who came up the hard way via primaries, have been campaigning since last spring. All have been using vast amounts of time and energy badly needed for their public service or their private affairs.

It was too long for the good of good government. Candidates running for reelection, or for election to another public office beside the one they currently held, had to take time off from their legislative or administrative jobs in order to compete—and the affairs of government suffered while the taxpayers in effect footed the bills.

It was too long for the patience and understanding of the voters. The sheer momentum of time quickly disposed of examinations of meaningful issues, and the whole affair degenerated into trival commercial exploitation and name-calling ad nauseam.

How to improve things? We could call for a gentlemen's agreement, both on primary campaigning and on the regular election work. But some of the most effective campaigning is done under the guise of public information, especially by those already in office. And electioneering has a proven tendency to persuade people to forget that they're gentlemen—or even ladies.

The only cure is to move the date of the conventions well into September. A month is plenty of time in which to present the mean-

ingful issues to the voters, and to acquaint them with the character of the candidates. Six weeks is more than ample.

We can't think of anybody who wouldn't benefit from the time, money, candidate energy, and voter patience that would be saved by such a move.

PAST ATTORNEY GENERAL RAMSEY CLARK

(Mr. ROONEY of New York asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROONEY of New York. Mr. Speaker, no doubt some of the Members read this morning's front page of the Washington Post, the article written by Ken W. Clawson, Washington Post staff writer, which stated:

J. Edgar Hoover yesterday called former Attorney General Ramsey Clark a "jellyfish" and the worst Attorney General he has encountered in 45 years as director of the Federal Bureau of Investigation.

Hoover said in an interview that Clark was "like a jellyfish . . . a softie," unlike his father, former Attorney General and Supreme Court Justice Tom Clark, whom Hoover described as a "good, strong man."

I thoroughly subscribe to these words of the Director of the Federal Bureau of Investigation. I could even add a few of my own. I could call this young fellow who libelled and slandered me after a quarter of a century of honorable service in this body a pusillanimous nincompoop, or something of that sort. He is ingrate No. 1 on my list of ingrates.

Now, I have seen Attorneys General come and go hearing their appropriations requests for the Department of Justice, beginning back in the days of Attorney General Francis Biddle of Philadelphia. Biddle was succeeded by this nitwit Ramsey's father, who is a fine and honorable man who made a distinguished, highly capable Attorney General in the years from 1945 to 1949. I knew them all up to and including the present Attorney General, John Mitchell.

Please excuse me if I am glad to add these words to what Mr. Hoover thinks of this young upstart, who I do not think could be elected dogcatcher in any political jurisdiction in the United States of America.

FORMER ATTORNEY GENERAL RAMSEY CLARK

(Mr. THOMPSON of New Jersey asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of New Jersey. Mr. Speaker, I am sorry to hear my distinguished friend from New York—and he is my friend—characterize a distinguished man in such a way.

I recognize the right of the gentleman from New York to have his opinions, and I have always admired and respected the fact that he has them and he states them so strongly, but I do not think it should go without comment.

I do not believe, in the judgment of anyone I know, that Ramsey Clark deserves being called a nincompoop. As a matter of fact, I think quite the opposite.

One might disagree with his philosophy. One might disagree with some of his actions. I will not embark on a discussion, because I have not seen the press report of the comments of the distinguished Director of the FBI.

I believe that Ramsey Clark is a fine and upstanding and courageous and brilliant lawyer. I think that he distinguished himself as our Attorney General.

I just regret—and I do so respectfully—that he has been characterized by my friend from New York as he was.

Mr. ROONEY of New York. Will the distinguished gentleman from New Jersey yield?

Mr. THOMPSON of New Jersey. I will be delighted to yield to the gentleman.

Mr. ROONEY of New York. Does the gentleman from New Jersey realize that for over 25 years he has had nothing to do with the appropriations for the Attorneys General and law enforcement whereas the gentleman from New York has had intense experience over all these years?

Mr. THOMPSON of New Jersey. The gentleman from New Jersey knows that for 16 years, although he has not had the privileged position of being a member of the Committee on Appropriations where my friend from New York has distinguished himself, the gentleman from New Jersey at least has had to do with appropriations so much as to vote for or against them, to read the hearings, and to listen carefully and respectfully and to make his own judgments.

The gentleman from New York can simply look at my record.

Mr. ROONEY of New York. Oh, I would not deign to compare my record with that of the gentleman from New Jersey. Not at all. I have a good name and no one can libel and slander me and get away with it. Particularly after all I did for him.

Mr. THOMPSON of New Jersey. The gentleman might compare——

Mr. ROONEY of New York. I come from the waterfront of Brooklyn. We know what law and order is.

Mr. THOMPSON of New Jersey. You know what law and order is and perhaps you might know what nincompoops are, but you do not define them.

Mr. ROONEY of New York. All you have to do is to go over here to the other side of the Speaker's chair, consult the dictionary and find out what a nincompoop is.

Mr. THOMPSON of New Jersey. I do not agree with that, either. I think there are a great many distinguished and honorable men on the other side, whether they are from Brooklyn or not. I just object to the characterization as a nincompoop of a man who served his country as well as Ramsey Clark has. You might have your judgment, and I respect your right to have it, but I also hope that you would respect my right to dissent from it, because I believe that he is a spendid man.

STATEMENT BY J. EDGAR HOOVER ON RAMSEY CLARK

(Mr. GROSS asked and was given permission to address the House for 2 minutes and to revise and extend his remarks and include extraneous matter.)

Mr. GROSS. Mr. Speaker, I suggest that FBI Director J. Edgar Hoover uttered the understatement of this and probably any other year when he said yesterday that Ramsey Clark was the worst Attorney General he had ever seen.

This petty little man has come out with a book ludicrously entitled "Crime in America." It is ludicrous because if Clark knew anything about crime in this country when he sat in the Attorney General's chair, he did less than nothing to fight it.

In fact, Clark was one of the leaders of the ultraliberal permissivists who were in power at the time and who so admiringly pampered the revolutionists and protected the common criminals who roamed the streets with increasing abandon because they knew they were being fawned over by Clark and his kind.

In this alleged book, Clark takes a gratuitous slap at one of the finest, ablest, and most completely dedicated public servants in the history of this Republic.

Whether this pusillanimous author attacks Mr. Hoover out of rage, or jealousy, or simply in an effort to further his own egotistical craving for political power does not really matter.

The mistake he made, was to go bear hunting with a popgun.

STATEMENT BY J. EDGAR HOOVER ON RAMSEY CLARK

(Mr. HALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. HALL. Mr. Speaker, upon reading the comments in the morning newspaper that FBI Director, J. Edgar Hoover made in reference to two former Attorneys General, I can only ask, why did he treat them so gently? Methinks I could have supplied him with more descriptive and even anatomical terms.

Be that as it may, Mr. Hoover certainly "hit the jellyfish on the tentacles" when he described Ramsey Clark as the worst Attorney General he had ever served with, even worse than Robert Kennedy.

No one has been a stronger critic of former so-called Attorney General Clark than have I, however, his credentials or training for the position have never been at issue. What has been debatable, and what has undoubtedly led Mr. Hoover to take umbrage, is the way that Mr. Clark perverted the intent of the Office of Attorney General by attempting to turn it into a "bleeding heart," social welfare agency.

The Federal Bureau of Investigation under the leadership of J. Edgar Hoover has always held to the highest standards and this Nation will always be in its debt for the integrity and sense of purpose it has shown while carrying out its assigned mission. As Mr. Hoover said, "the FBI never makes recommendations or draws conclusions." It is a factfinding agency.

It is to our benefit that the bureau has resisted all attempts to dilute its strength and reduce its vigil. We take pride in the remarkable record that the FBI has made.

I include the interview as part of the RECORD:

PRAISES MITCHELL AS "VERY HUMAN": FBI'S HOOVER SCORES RAMSEY CLARK, RFK

(By Ken W. Clawson)

J. Edgar Hoover yesterday called former Attorney General Ramsey Clark a "jellyfish" and the worst Attorney General he has encountered in 45 years as director of the Federal Bureau of Investigation.

Hoover said in an interview that Clark was "like a jellyfish . . . a softie," unlike his father, former Attorney General and Supreme Court Justice Tom Clark, whom Hoover described as a "good, strong man."

The FBI director said he would accept the judgment of the elder Clark on his stewardship of the FBI, but that Ramsey Clark was even a worse Attorney General than the late Robert F. Kennedy. Hoover said Kennedy was the first Attorney General with whom he had troublesome relations. In the last six months of Kennedy's tenure, Hoover said, he did not speak to Kennedy.

"If ever there was a worse Attorney General it was Ramsey Clark," he said. "You never knew which way he was going to flop on an issue.

"He was worse than Bobby (Kennedy). At least Kennedy stuck by his guns, even when he was wrong."

Hoover added, however, that "until Bobby Kennedy came along" he had never had trouble with Attorneys General.

He called Attorney General John N. Mitchell an "honest, sincere and very human man" and added, "There has never been an Attorney General for whom I've had higher regard."

The director's criticism of Clark was prompted by the former Attorney General's book, "Crime in America," being published this week. In it Clark charges that Hoover's "self-centered concern for his own reputation" led the FBI into glory-seeking rather than effective crime control.

Clark charged that the FBI was tardy in moving against organized crime and that a conflict resulted between Hoover and Kennedy, who Clark said was the first Attorney General to have a "commitment to control of organized crime."

Clark could not be reached for comment on Hoover's remarks.

In the interview, Hoover said there was never any trouble with Kennedy on the organized crime issue. He pointed out that the FBI did not have the federal laws to fight organized crime that have been passed in recent years.

"But there was trouble," Hoover said. "The trouble was that Kennedy wanted to loosen up our standards and qualifications; to discard the requirement that agents hold degrees in law or accounting. He even wanted to discard the bachelor's degree as a requirement.

"In short, he wanted more Negro agents."

Hoover said he refused, and that Kennedy brought up the subject "half a dozen times."

"I told him, 'Now Bobby, I have no prejudices. The FBI has Negro agents, Indian agents, Chinese agents and all kinds of other agents. Any one who can meet the qualifications can have a job, and I'll have it no other way.' "

Hoover said he told Kennedy that if he didn't like his position, "Why don't you get another director? You may not know it, but I can retire at full salary. Now, I give half of my salary in taxes, so it's costing me money out of pocket to continue."

The director said that "right afterwards" he went to the White House and told President Johnson about the confrontation.

STAND BY YOUR GUNS

"The President said, 'Stand by your guns.' I didn't speak to Bobby Kennedy the last six months he was in office." That was in 1964.

The FBI has a total strength of 18,000, and will get an additional 1,000 agents under provisions of the 1970 Omnibus Crime Control Act. It has been widely believed that these additional agents will be used on college campuses, where the Bureau now has jurisdiction over bombings and arson to most buildings.

Hoover called this concept "absolutely untrue." He said the extra agents would be scattered through the Bureau for a variety of duties created by expanding federal jurisdiction in bombings of federally financed buildings as well as making certain types of gambling a federal offense inside a state's borders.

He said he recently wrote former Justice Abe Fortas a letter following a speech in which Fortas criticized using undercover FBI agents on campuses. Hoover said there are no undercover FBI agents on campuses, and that agents will only go on campus to investigate actual bombings.

Threats of bombings or arson, he said, would be turned over to campus police and local police to investigate.

Hoover blamed college administrators and faculty as much as a small group of students for the wave of campus disruptions.

"Some faculty are worse than the hippies," he said. "Ninety per cent of the students want an education and they are prevented by hippies who are encouraged by some of the faculty."

Campus disruptions would stop, he said, "if college presidents had the courage and guts to expel and make it stick." He praised S. I. Hayakawa for his handling of disruptions at San Francisco State College.

Most college administrators, Hoover said, are soft. "They come up through the academic process, and there is nothing worse than an intolerant intellectual. They're soft, and they never want to accept responsibility."

NO CONCLUSIONS ON KENT

He added that the "people shouting the most are a minority that do not believe in tolerance."

It is true, he said, that students often haven't been able to make their views known to college administrations, trustees and other governing bodies. He said these lines of communications should be opened, and that students should work vigorously to make their views known, but without disruption and intolerance.

The director said he was disappointed to read in various publications that the FBI concluded various things about last spring's shootings at Kent State University in Ohio. "The FBI never makes recommendations or draws conclusions," he said. "We are a fact-finding agency."

It was the Justice Department, he said, that concluded that National Guardsmen fired into students in panic during a confrontation. But Hoover said he was glad the Defense Department will intensify National Guard training.

Professionalism under fire is insisted upon by the director. FBI agents are instructed, he said, not to be promiscuous with firearms, but to shoot to kill when they are threatened by an assailant with the means to kill. "A man never knows about himself until he is tested by battle," he said.

Hoover recalled that during the 1930s he "always hated to sit behind a mahogany desk" when his men were in action in the field.

He said that on one raid, he noticed an agent who answered the command to advance by going in the opposite direction, panicking. "He was not yellow," Hoover said. "He was just not made of the stuff for an FBI agent. Of course, I got rid of him immediately."

Hoover, who will be 76 in January, was relaxed and hearty during a rare interview in his office that lasted about two hours. In referring to his age, he said that he no longer bothers to deny that he may retire. But he pointed out that like all agents he has undergone an annual physical examination since 1938.

"I was in better shape at my August, 1970, examination than I was in 1938," he said.

But he admitted that he has a tendency to put on weight and is constantly on a diet. At his favorite luncheon spot in the Mayflower Hotel, the director has been reduced to a grapefruit salad with cottage cheese and black coffee.

ARREST RATIO HIGH

But Hoover seems to thrive on this kind of discipline. He repeated several times that law enforcement officials must adhere to strict standards, personally and professionally, to carry out their assignments.

And while he considers all law officials members of a close fraternity and is concerned with the increasing danger to their safety, he is opposed to a proposed bill making the killing of a policeman a federal offense.

Such a move would give the FBI jurisdiction in these cases.

He said the bill comes too close to making the FBI a national police force, something he said he has opposed since 1924 when he became the director.

In addition, FBI records show that in 96 per cent of police murders, arrests have followed within 30 days, usually by the police force to which the victim belonged.

"It's a matter of pride, too," Hoover said. "The FBI goes all out when an agent is killed; so do local or state police."

He said more policemen have been killed in the last two years than at any other time, with many deaths attributed to senseless, sniper slayings.

General crime, he said, has never been greater than now. "It has reached an apex." Hoover then listed three areas of combatting crime and made these observations:

Law enforcement—Better training and higher salaries have increased the professionalism of police on all levels and they are doing a better job than most people recognize.

Courts—On the federal level alone, 1,200 cases, some of them as old as two years, are still awaiting adjudication. Courts are uneven in their justice, often giving inadequate sentences and probation when they shouldn't. In the District of Columbia, one bank robber was released on his own recognizance and committed another bank robbery.

Sometimes, Hoover said, the criminal justice system just makes a mistake.

He said a classic example of this came during the early 1960s in a District Court trial when Teamsters leader James R. Hoffa was charged with trying to bribe a staff member of Sen. John McClellan (D-Ark.), who was then investigating labor racketeering.

Hoover said that at the trial Hoffa was identified as the man who gave the staff member money. It occurred in a taxi driven by an undercover FBI agent.

"In the middle of the trial," Hoover said, "Joe Louis, the former heavyweight champion, came into the courtroom and embraced Hoffa. The jury found him innocent."

Hoover said that McClellan's investigation and subsequent FBI work that eventually put Hoffa in the federal prison at Lewisburg, Pa., led to the suspicion that there was great corruption in the American trade union movement.

Hoover called Hoffa's later convictions and imprisonment "good riddance to bad rubbish" but he said it was not representative of unions.

"George Meany, for example, is one of the finest men I know. There are no Communists in the AFL–CIO and he doesn't tolerate corruption.

"He's a fine man and the AFL–CIO is a fine organization."

Prisons—They are the last place of concern for those who finance the criminal justice

system. Rehabilitation services are negligible and should be greatly improved.

Hoover said he seemed always to be involved in controversy with "bleeding hearts who accuse him of being opposed to parole and probation.

He said he has only been opposed to abuses of parole and probation. People just don't understand, he said, that on the state level, a life sentence means 21 years, with the prisoner eligible for parole in seven years. On the federal level, he said life is 45 years, with eligibility for parole in 15 years.

"I still believe that punishment is a deterrent. Where a serious crime has been committed, a substantial sentence should be imposed."

He said his contacts with prison inmates led him to believe the death penalty is also a deterrent and should be imposed in a few serious cases such as premeditated murder and kidnaping where the victim is harmed.

In Hoover's time, major crimes have shifted in style and type from the kidnapings of the 1930s through bank robberies, organized crime and radical political crimes.

Hoover said that despite the widespread belief that the FBI constantly wiretaps, there are only about 40 wiretaps authorized by the Attorney General for national security cases. All other wiretaps are court-authorized and being used effectively, especially in gambling cases.

ASKED WIRETAP CURB

Hoover recalled that during the 1940s he was the only intelligence official in Washington who didn't have the authority to wiretap. He said he urged Tom Clark, who was then Attorney General, to ask President Truman to curtail wiretapping except upon approval of the Attorney General.

During this period, Hoover said the late columnist Drew Pearson accused him of tapping his telephone. Hoover, who said he did not personally like Pearson, denied the allegation but checked on it after Pearson left his office.

"I found that another agency indeed had tapped his telephone," Hoover said.

He added that it was a standing rule in the FBI not to tap the telephone of any newsman, senator or congressman.

Hoover has often been at odds with the Supreme Court, although he now sees some improvement with the addition of President Nixon's two court appointees.

He described Chief Justice Warren Burger as an "excellent chief justice" and said the appointment represented a "wise decision by the President."

Hoover said he didn't know Justice Harry Blackmun, but that he considered him a "very able judge."

After nearly a half-century of dealing with criminals, Hoover said that John Dillinger, Alvin Karpis and other notorious gangsters were really less dangerous than the current crop of new, less experienced criminals.

And the style of the gangster of the 1930s has also disappeared, he said.

He recalled that Karpis, who was on the FBI's Ten Most Wanted List, used to send him letters and postcards from around the nation threatening to kill him, challenging him to a personal duel and mocking efforts to catch him.

Hoover said that in early May, 1936, he was testifying before a congressional committee when agents located Karpis in New Orleans.

The director ordered a stakeout and flew to New Orleans to personally arrest Karpis.

Karpis was getting into a car with an accomplice when Hoover stuck a pistol in his ribs. The gangster turned and mildly said, "Well, you got me."

He had recognized Hoover from a newspaper photograph taken the year before when the director caught a sailfish off the Florida coast.

Hoover said he got into the back seat of a police car with Karpis, while an agent from Oklahoma drove and Karpis' mistress sat in the front. They were taking the prisoners to FBI headquarters in New Orleans for questioning when Hoover noticed they seemed to be traveling in circles.

"I discovered," said Hoover, "that neither I nor the agent—who was there just for the Karpis raid—knew where our office was. At that point, Karpis spoke up and asked us if it were in the old Post Office or the new one."

Hoover said he first told Karpis to keep quiet as befitted a prisoner, but then identified the old Post Office as the site.

"Karpis then guided us to our office. He said he had been planning to rob the old Post Office and knew its location."

Later, Hoover was escorting Karpis to Minneapolis to stand trial for kidnaping. When the plane landed in Kansas City to refuel, Hoover purchased a newspaper whose headline read, "Karpis robs Detroit bank."

Amused, Hoover got on the plane and showed the paper to Karpis, who smiled and said "This time I have a good alibi."

"He had a sense of humor, a good sense of humor," Hoover said.

H.R. 19519, THE COMPREHENSIVE MANPOWER ACT

The SPEAKER pro tempore (Mr. PATTEN). Under a previous order of the House the gentleman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, in 1946, Congress passed the Employment Act, declaring that—

> It is the continuing policy and responsibility of the Federal Government . . . to coordinate and utilize all its plans, functions, and resources for the purpose of creating and maintaining . . . conditions under which there will be afforded useful employment opportunities . . . for those able, willing, and seeking to work . . .

We have come to a time in the history of this great country, when, more than ever before, we need to create and maintain conditions under which useful employment opportunities can be afforded to those able, willing, and seeking to work. We need to create and maintain conditions under which those who, left behind by the ravages of rampant technological advances, are able to secure employment with their limited technological knowledge and skills. Last month, 4.7 million people were left without jobs. And an innumerable greater number are spending their lives performing tasks at the lowest level of the economic ladder, unable to advance because they do not have the proper training.

It is high time we do something about these people. It is not that we have not been trying. We have tried very hard since the passage of the Manpower Development and Training Act in 1962, with our endless assortment of manpower programs, each directed to its own particular segment of the economic and unemployment spectrum.

But the time is long past due when we need to unify these programs into a meaningful whole. We need to interrelate and coordinate them so they will not overlap one another, leading to inefficiency and wasted resources. We need to blend them to eliminate the rigidity in Federal funding which prevents from being met some of the most urgent needs of people in particular segments of the population, and of people in diverse geographic areas. And, finally, we need to coordinate them with the realities of the real world, so that when enrollees have completed their training programs, they can begin to be productive members of society, instead of having to accept the continued degradation of unemployment, or being continually shuffled to other dead end training programs.

This Comprehensive Manpower Act, while not being a panacea for all the manpower ills, will begin to solve many of these problems.

It will solve many of the problems of inefficiency and wasted resources through the concept of the prime sponsor, who, with a manpower council will coordinate all the manpower programs in that particular area, and with the recommendations of the Governor will tie them in with the overall State manpower plan. The bill is set up so that much thoroughness will be required of the prime sponsor and council of the area requesting Federal funds. Rather than being able to receive funds by merely submitting a request abounding in good philosophical intentions, areas will be required to include long-term projections of requirements for manpower aid related services, and specific plans for meeting such requirements.

This will solve one of the greatest problems plaguing the manpower programs—the problems resulting from the fact that training programs have been conducted without the necessary regard for existing job vacancies. In addition, the manpower services program will include the necessary placement functions. These, in addition to the requirement of long-term manpower projections, will maintain the training programs in close contact with the realities of the job market.

In addition, title IV sets up a national computerized job bank which will, among other things, help find vacancies for the backlog of trainees who were turned out of their training programs onto a job market that could not absorb them. And if people were mistakenly trained for nonexistent jobs in one area, but jobs which do exist in another suitable employment, relocation assistance will be provided.

The enactment of this bill will, in addition, solve the problem of financial rigidity hampering the effectiveness of the program in meeting specific needs in particular geographical areas. The bill requires only that three-quarters of the annual appropriation go for training and employment programs, including general manpower programs and related supporting services, public service employment, and occupational upgrading programs in titles I, II, and III. The only other earmarking, and that can hardly be called a restriction, is that on a na-

tionwide basis 18.75 percent of the total annual appropriation in the act must go toward public service employment.

Finally, this bill addresses itself to those innumerable people spending their lives performing jobs at the lowest level of the economic ladder, who are unable to make the grade up a rung because they have no opportunities for suitable training. I think this bill does a commendable job of outlining an occupational upgrading program, including incentives to businessmen to make it work. On one hand it helps perform a great service to the economy in providing for the training for those hard-to-fill jobs, of individuals who are capable of performing them. This will begin to close the abyss on one side of which lies those jobs for which adequately trained workers are not available. But this bill will also begin to close the abyss from the other side upon which rest those workers who are unable to obtain work. It will do this by training workers at the lowest level of the economic ladder to fill otherwise unfillable jobs higher up, requiring technically trained workers. These newly trained workers will thereby be vacating entry level jobs to make way for the untrained workers.

We can only guarantee freedom to the individual in this country if we help him over the hurdles placed in his way, through no fault of his own, by the tremendous technological advances in recent years. While these advances have provided us with an ever-expanding economy, they have, at the same time, created as byproducts along the way, unemployment and resulting social problems. Social welfare is not the answer. Educational programs in schools are good for those otherwise potentially unemployable young people just about to enter the labor market. But what we really need is a good coordinated system of training programs for those already in the labor market completed with related placement and supportive services so necessary to the overall goal of helping our constituents find useful employment opportunities. I believe this bill, if enacted, will accomplish those ends, and solve many of the urgent problems brought about by the unwieldly conglomeration of uncoordinated manpower programs. I wholeheartedly urge its immediate passage.

PUBLIC SERVICE EMPLOYMENT BILL

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Indiana (Mr. HAMILTON) is recognized for 10 minutes.

Mr. HAMILTON. Mr. Speaker, I rise in support of the public service employment bill (H.R. 19519). Green thumb, a mainstream program, has demonstrated that public service employment can be run effectively and efficiently.

There are millions of older, low-income, rural men and women in America today who are unable to find employment because some employers think this segment of our population is too old to work. For the past 4 years, the green thumb program has proved this line of thinking to be wrong. Seventeen States across the Nation employ almost 3,000 people in jobs concerned with the problems of our ecological balance, beautification, environmental, and community betterment.

Indiana is proud to have 294 members of the green thumb and green light programs bettering the Hoosier State. Green thumbers have helped their communities by refurbishing schools and senior citizens centers, maintaining and building parks, building Headstart centers, cleaning up our highways and planting trees, grass, and shrubs.

Green light ladies in Indiana have worked as county home aides aiding patients and personnel as well as working in the hospital lunchrooms.

State and local governmental officials have repeatedly praised the work of green thumb and green light. Green thumb is demonstrative of what public service employment can mean to the older citizen and what it can do for our society.

I feel the information in the following article on this most worthwhile program should be of utmost interest to all Members of this Congress. If all public service programs can be as effective as green thumb, then I ask for more similar programs.

I insert this article in the CONGRESSIONAL RECORD:

GREEN THUMB WORKERS IN WASHINGTON COUNTY ARE HAPPY WITH THE PROGRAM

The Green Thumb program has been accepted well in Washington County, and no one has accepted it better than the men who are working on it.

They work with the Washington County Highway Department and Indiana Highway Department, and when we found them Monday they were clearing non-mowable brush from the edges of a county road.

The first one we talked to, Joe Reinier, 68, of Campbellsburg, is in his first year of working with the Green Thumb project, but it hasn't taken him long to find out he likes it. He worked for three years at Spring Mill, he told us, and has worked outdoors virtually all of his life. It's understandable that he would prefer outside work to being inside all of his working day.

County highway worker Forest Noland told us that all of the Green Thumbers were good workers, and commented that they ". . . do a pretty darn good job, too."

In addition to Reinier, we talked to Everett Zink, 77, of Campbellsburg, Burl Botorff, 65, of Rt. 2, Campbellsburg, Cyril G. Humphrey, 73, of Rt. 1, Vallonia, Kirby Hughes, 74, of Campbellsburg, and J. D. Armstrong, 49, of Rt. 1, Campbellsburg.

Hughes, who acts as the foreman of the crew, and Humphrey are in their fourth year with the program having started with it in 1966, the year of its inception. Armstrong is in his third year, while Bottorff and Zink are both first-year workers.

Their comments ranged from, "I think it's a great thing, this program," to "It's sure helped me out a lot." None seemed the least bit dissatisfied with working out on county roads, and it seemed to us that we were lucky to have caught them on their noon hour. They echoed this sentiment, saying, "It wouldn't have been too long before we'd have been gone." The crew was working on the Herb McCoskey Road in Polk Township, but was getting ready to travel to the South Boston area.

Wayne Vance, of Seymour, in charge of the program for the state of Indiana, says that Washington County was probably the second in the state to embrace the project, putting it into effect immediately after Scott County did so in 1966.

Green Thumb is a non-profit organization under a grant from the U.S. Department of Labor in cooperation with the National Farmer's Union and state and local agencies.

There are several million older low income people living in rural areas, who through no fault of their own, cannot continue to farm or find employment. Having poor job prospects and often living in rural pockets of poverty, these older farmers face years of deprivation and poverty for themselves and their wives and families.

Project Green Thumb seeks to use the skills of these older and retired low income farmers in conserving and beautifying America.

The problem of the older and retired worker in rural areas of the country was a cause of grave concern to President Johnson, who, in a communication to the Senate in 1967, said, "Hundreds of older unemployed and retired farmers and rural workers have gained in income and dignity while contributing to the safety and beautification of state highways, schools, parks, and rural towns, through projects such as Green Thumb. I have asked the Director of the Office of Economic Opportunity in cooperation with the secretaries of Agriculture and Labor to expand this activity, and to develop many ways to provide meaningful public service opportunities to the elderly in rural areas."

NEW CANAL REPORT INVITES NATIONAL PERIL

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 30 minutes.

Mr. FLOOD. Mr. Speaker, on November 13 and 14, 1970, major newspapers of the United States announced that the report of the investigation on the feasibility of constructing a new isthmian canal of so-called sea level design authorized by Public Law 88–609 will be submitted to the President on December 1.

The news stories making that announcement may or may not have been authorized by the Atlantic-Pacific Interoceanic Canal Study Commission, which has been directing the preparation of the report, but everything points to their general accuracy. Because of the wide disseminations of the news stories I deem it wise that some discussion of their subject be given from a congressional forum, for they may well be the opening blast in what will become the most extensive canal debate in the 20th century.

The main points of the 3000 page report, as gleaned from the press, are not surprising to me. They include the following:

First. The site chosen for the proposed sea level canal is in Panama about 5 miles west of the Canal Zone known as Route 10 and is to be constructed by conventional means at a cost initially estimated between $2 and $3.5 billion.

Second. The proposed alternative is a canal of so-called sea level design in the Canal Zone, which was recommended in 1947 by a previous canal inquiry.

Third. Nuclear excavation is eliminated because of the dangers of contamination and the limitations of the test ban treaty.

Fourth. Ecological hazards incident to constructing a salt water channel between the two oceans are apparently dismissed as matters of little consequence.

Fifth. The United States would operate and defend the canal for Panama while that country would have full territorial sovereignty.

Five years and an expenditure of $21.4 millions were required to produce the forthcoming report. As indicated in many addresses in the Congress by me during this period the effort throughout was been characterized by babble, bubble, and Babel, and now proves itself to have been protracted, expensive and futile. The inquiry has looked into many phases of the problems involved except those most directly concerned and considered most solutions except those that apply.

From 1904 to June 30, 1968, the total costs of the Panama Canal enterprise to the American taxpayer were:

Gross construction, maintenance and operation	$864,000,000
Gross defense and protection	4,305,000,000
Total	5,169,000,000

If these sums were converted into 1970 dollars the totals would be far greater.

Under the proposed sea level plan, as described in the newsstories, the United States would be required to give military protection for the proposed canal in perpetuity at the continuing expense of our taxpayers but have no title to the new canal. Thus our country would have responsibility without authority in an area of endemic revolution and violence. I can think of no better formula for total chaos on the isthmus than the program evidently contemplated in the forthcoming report. Moreover, it is an invitation to national peril that ignores the Soviet menace; and this alone is enough to destroy the recommendations involved. We should not run the hazards of transforming Panama into another Cuba and the Panama Canal into another Suez.

None of the newsstories so far read even note or discuss the major modernization of the existing canal, known as the third locks-terminal lake plan, for which legislation is now pending in both the House and Senate and which is strongly supported by independent experts as offering the only sensible solution of the canal problem. This plan would retain the fresh water barrier between the two oceans thus avoiding the danger of upsetting the marine ecological balance that many respected biologists fear would result from a sea level undertaking.

These dangers include the invasion of the Atlantic by Pacific sea snakes, which are as deadly as the cobra and related to it and might spread as far as Virginia and Brazil. Moreover, the major modernization of the existing canal is covered by present treaty provisions and a new treaty with Panama would not be required, thus enabling the United States to retain its indispensable sovereignty over the protective frame of the Canal Zone.

Mr. Speaker, the facts that I have enumerated are paramount considerations and cannot be ignored by the Congress. The present canal is not obsolete but is approaching capacity saturation.

It is obvious from reading the newsstories that their authors are not sufficiently grounded in the canal subject to provide the clarifications required. To meet this need I would recommend a 1966 volume of my addresses on Isthmian Canal Policy Questions—House Document No. 474, 88th Congress—and my testimony on August 3, 1970, before the House Subcommittee on Foreign Affairs in hearings on Cuba and the Caribbean, pages 203–231. In the latter, I quoted a 1970 "Memorial to the Congress" by the Committee for Continued U.S. Control of the Panama Canal, which gives in simple form the essentials of a highly complicated problem and what is required to increase its capacity and operational efficiency.

One point that I would like to stress is the fact that the much propagandized and costly sea level proposal hinges, I repeat, hinges on ceding U.S. sovereignty over the Canal Zone to Panama before constructing any new canal. This makes imperative the adoption by this body of the Panama Canal sovereignty resolutions now pending and on which hearings have been held. This step should clear the way for action by the Congress on pending measures for solving the basic canal modernization problem by the economic and time-tested terminal lake solution.

In order that the indicated newsstories may be readily available to the Congress and the Nation at large, I quote three of them as parts of my remarks:

[From the Washington Daily News, Nov. 13, 1970]

CANAL AT SEA LEVEL URGED

(By James R. Whelan)

Nearly six years and $21.2 million after beginning its work, a presidential commission is about to recommend construction of a sea-level canal in Panama by conventional means.

The Atlantic-Pacific Interoceanic Canal Study Commission will deliver its long-awaited report to President Nixon on Dec. 1, opening immediately the floodgates of debate likely to rage in Congress, international councils and scientific circles for years to come.

An official who has seen a draft of the 3,000-page final report said "it contains something for everyone."

Interviews with people close to the commission's work, plus study of commission and other documents, indicate the report will contain the following major recommendations:

Nuclear devices cannot be used to dig the canal because doing so would violate the test-ban treaty, because the proposed canal route is heavily populated and because not enough is known about nuclear cratering.

Fears of some scientists notwithstanding, the commission finds no solid evidence now to justify fears of massive extermination of marine species once the two oceans are joined by a free-flowing waterway. But much more study will be needed in measuring the full ecological impact of a sea-level canal.

Of 34 possible routes in five countries, the commission will come out flatly for one, known as Route 10. It is situated just 10 miles west of the present canal but five miles beyond the borders of the U.S.-controlled Canal Zone that slices thru Panama.

Target date for finishing the new canal should be around 1990, when the present canal and its system of locks will have outlived its usefulness. Interestingly, the commission debunks the once popular fears of imminent obsolescence of the present canal, pointing out that it is still usable for 95 per cent of the world's shipping. Significant exceptions are aircraft carriers and supertankers.

Cost of building the new canal will range between $2 billion and $3.5 billion, depending mainly on when work finally starts.

The United States would operate the canal for Panama and provide the defense shelter, but Panama would retain full territorial sovereignty. Along with the question of division of revenues from canal operations and status of the present canal zone, this is one of the built-in nightmares of negotiating a treaty acceptable to the United States and Panama.

The present canal would continue to operate wtihout interruption during the five to 10-year construction period, and then eventually could be ceded to the Republic of Panama.

The commission has been headed from the start by Robert B. Anderson, former secretary of the treasury and Navy. A four-man permanent professional staff occasionally swelled to 800 contract scientists, engineers and others. The AEC and the Defense and State departments and other government agencies contributed to the study. The commission had been given $24 million but spent only $21.2 million.

[From the New York Times, Nov. 14, 1970]

ROUTE IS CHOSEN FOR NEW PANAMA CANAL

(By Richard Halloran)

WASHINGTON.—A Presidential commission has selected a route for a new sea-level Panama canal that runs across the Isthmus in Panamanian territory 10 miles west of the present Canal Zone.

The panel, known as the Atlantic-Pacific Interoceanic Study Commission, is scheduled to recommend that choice to President Nixon before Dec. 1.

John P. Sheffey, executive director of the commission, declined to confirm or deny the selection. But other informed sources close to the commission made clear what the choice was.

The commission, headed by former Secretary of the Treasury, Robert B. Anderson, ruled out the use of nuclear devices to build the new canal. The members were said to have feared that nuclear excavation might produce too much radiation and would be too close to population centers.

The elimination of nuclear excavation eliminated other possibilities, it was reported, that ranged from routes along the Nicaraguan-Costa Rican border in the north to a route through the mountains and jungles of Colombia in the south. Conventional excavation along those sites was deemed to be prohibitively expensive, it was understood.

The commission is scheduled to meet once more to review its selection and other recommendations before reporting to the President. It was charged with studying the canal question in relation to defense, foreign relations, shipping, finances and engineering.

The panel's recommendations as to who should build, own, operate and be allowed to use the canal could not be determined. Over the years, a variety of suggestions ranging from strict United States control to total internationalization have been made.

President Nixon would have to agree on the selection and then obtain Congressional approval of appropriations before construction could start. The commission will estimate costs of the new canal at between $2-billion and $3.5-billion.

CANAL OVERBURDENED

Just when construction would begin would be determined by Presidential and Congres-

sional action. The present canal, overburdened by traffic and unusable by the world's largest tankers, is expected to become obsolete around the year 2000.

Representative Daniel J. Flood, the Pennsylvania Democrat who has made a specialty of Panama Canal Zone issues, expressed immediate and vigorous opposition to the commission's reported selection. Mr. Flood, reached in Wilkes Barre by telephone, said "there was never any doubt that when the commission finished that would be their conclusion."

He contended that the commission had "wasted bags of money" surveying areas it knew could not be used for the new canal. He has long been an advocate of enlarging and improving the present canal.

Mr. Flood said that he and his supporters would oppose senatorial approval of the treaty with Panama that would be necessary before construction could start. He said also that any move to dispose of the present Canal Zone would come under the purview of the House and he promised strong opposition there.

The United States has been trying to negotiate a set of new treaties with Panama to cover defense, the building of a new canal and disposal of the present canal.

TERRAIN SIMILAR

The proposed route for the new canal runs through terrain similar to that through which the present canal runs. To excavate a sea-level canal would require cuts down to 600 feet in some places, compared with 500-foot cuts in sections of the existing canal.

The sources said that controlling the Caribbean and Pacific tides on either end of the canal was technically feasible. But they said the commission did not have enough knowledge to estimate whether the ecological balance in the two oceans would be upset by the sea-level canal.

The commission, which has been in existence six years, spent $21.4-million of its $24 million appropriation. In addition to Mr. Anderson, the members are Robert G. Storey, president of the Southwestern Legal Foundation in Dallas, Milton S. Eisenhower, president-emeritus of Johns Hopkins University; Brig. Gen. Kenneth E. Fields, a retired Army officer of Greenwich, Conn., and Raymond A. Hill, a consulting engineer in San Francisco.

[From the Washington Post, Nov. 14, 1970]

STUDY SEEN URGING 2D PANAMA CANAL

(By Thomas O'Toole)

A blue-ribbon presidential panel is expected to recommend that the nation construct a new canal across the isthmus of Panama to carry shipping between the Atlantic and Pacific oceans.

The Atlantic-Pacific Interoceanic Canal Study Commission, which was appointed by President Johnson in April, 1965, to explore the feasibility of a second Panama canal, will pass on to President Nixon on Dec. 1 its recommendation that the nation spend $3 billion constructing a sea level Atlantic-to-Pacific canal that could be ready to handle shipping by the year 1990.

While commission officials refused to comment on their recommendations, it is understood they will offer the President the option of constructing a second canal inside the U.S.-owned Panama Canal Zone or just outside the Canal Zone through land held by the Republic of Panama.

Each option has sizable disadvantages to it, though both would require spending the same sums on canals almost identical in size—40 miles long, about 600 feet wide and 60 feet deep.

The disadvantage of a second canal inside the Canal Zone is that it would require the eventual destruction of the present Panama Canal.

A second Canal Zone canal would intersect the present canal several times, and since the new canal would be a sea level canal it would mean that the lake which makes up the heart of the present canal would have to be drained. The lake stands 85 feet above sea level.

The main disadvantage to a canal outside the Canal Zone is that it would run through the Republic of Panama, raising questions of ownership, royalty payments, construction delays motivated by politics and even disruptive riots like those that rocked Panama in 1964.

There is another obstacle to a sea level canal that has nothing to do with where it is built.

A sea level canal means mixing the waters of the Atlantic and Pacific in a location where they have never been mixed before, which raises scientific questions that are certain to rage on long after such a canal is built.

Some scientists feel that a sea level canal means certain death for many marine species in both oceans, either from unfamiliar predators who make their way from the other ocean or from sudden temperature changes that result from a mixing of the colder Pacific with the warmer Atlantic.

The presidential panel studying a second canal has looked into this question and claims it is not half as serious as many scientists make it sound.

"The Batelle Memorial Institute has evaluated these dangers," a source close to the commission said, "and has found no direct evidence that a sea level canal might harm marine life."

Despite all the obstacles, the commission is understood to feel that a second canal must be built to accommodate the growing numbers of large ships in the world's merchant fleets and in our own navy.

The present canal cannot handle ships larger than 65,000 tons, which means it cannot accommodate most of the supertankers being built today. The present canal is also unable to take on the large U.S. aircraft carriers, whose decks are too wide for the canal's system of locks.

HON. WARREN E. HEARNES, GOVERNOR OF MISSOURI, PLACED CAMPAIGN ISSUES IN PROPER PERSPECTIVE

(Mr. PRICE of Illinois asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PRICE of Illinois. Mr. Speaker, during the past campaign the American people were bombarded with rhetoric about what has been labeled the social issue, patriotism, and law and order. Fortunately, there were public officeholders who attempted to put the issues in proper perspective; one of whom I had the privilege of hearing at an October 22 testimonial dinner for Illinois State Senator William Lyons at Litchfield, Ill. The speaker for the occasion was the Honorable Warren E. Hearnes, Governor of Missouri.

As Governor Hearnes eloquently noted:

I do not believe that patriotism, or opposition to violence, is divided along party lines. I do not believe the people will follow any political leader who tries to divide them in that manner.

His prophecy indeed proved correct as the election returns came in. The American people exercised the sound judgment that some politicians had callously written off.

For the benefit of my colleagues, I include Governor Hearnes' speech at this point in the RECORD. After reading it, I am confident many people will agree with me that we may well see Governor Hearnes in a national political office.

The address follows:

ADDRESS OF GOVERNOR WARREN E. HEARNES

With the approach of the November election, it seems one of the developments I had looked forward to with great anticipation is now not very likely to occur. Perhaps I am old fashioned in my political beliefs, but I had hoped for a serious national discussion of our country's most pressing domestic problem—the condition of the economy.

Yes, before you ask the question, I am well aware of the life and death nature of an impressive list of social issues including poverty and pollution of the environment. But I also am aware of the fact that the solutions being discussed for those problems carry a large price tag. And there is no doubt in my mind that the first priority must be assigned to saving our national economy if we intend to do anything about other problems.

During this campaign, I had hoped to hear some answers from the political party of the Nixon administration. They are the ones who control the executive branch of the federal government, and they should answer for the combined inflation, recession and unemployment now sweeping the country.

Personally, I would like to hear their comments concerning the present unemployment rate of 5 and one-half percent. I would like to hear their reaction to the forecasts of economic experts both inside and outside the federal government who say the unemployment rate will reach six percent by next summer. And I know their answers would be of interest to the two million people who have lost their jobs since the Nixon administration took office.

The Vice President, however, is taking a different approach on the campaign trail. He chooses to ignore the economic plight for which the administration is responsible. Instead of answering to the people for economic blunders, he has chosen the theme of violent revolution and is attempting to blame it on the Democratic Party. Regrettably, the White House has stooped to echo his position.

In attempting to avoid their responsibility for the condition of the economy, these Republican leaders have attacked everyone else and tried to picture themselves as the only true, patriotic Americans. This has all the earmarks of a smear campaign.

I do not believe that patriotism, or opposition to violence, is divided along party lines. I do not believe the people will follow any political leader who tries to divide them in that manner. Members of both major political parties stand together in their love for our country and their determination to improve it through lawful means.

Tonight, then, let us look at the issue of order versus chaos not from the Vice President's viewpoint of divisiveness, but from the only basis on which this issue can be analyzed—that of Americans united.

Abraham Lincoln once wrote, "The dogmas of the quiet past are inadequate to the stormy present."

He was writing about events now a century removed—a conflict of ideas and deep-rooted beliefs which created a situation that obviously could not endure for long. As President of this nation, and charged with keeping it "indivisible with liberty and justice for all", he fulfilled his oath of office and resisted even to the degree of facing our country's only civil war.

In resisting efforts to forever divide these United States through violent disobedience of a government entrusted to foster freedom as well as law and order, Abraham Lincoln

and his contemporaries strengthened all levels of government. For more than a century—and let us hope many centuries to come—Americans have benefitted because this democracy proved its own ability to survive threats from within as well as without.

One of the greatest legacies each generation can provide those that follow is a freedom to accept or reject the democracy so many have sought to preserve and encourage. It is a governmental system designed to allow citizens to seek their own fulfillment within duly constituted, and agreed upon, restrictions and protections necessary to save it from the self-defeating status of a social jungle.

As Americans of each generation look for better and more enlightened avenues toward personal fulfillment, they also contribute to their democracy's continuation. One of the most important elements of this nation's strength through its democracy is its ability to allow for weakness, but this requires intelligent dialogues, debates and unrelenting self-appraisal.

At times, our citizens have reflected tendencies evident throughout all centuries—a tendency to recognize and claim their own rights, while at the same time ignoring or infringing upon the rights of others. True liberty cannot exist in this fashion, because true liberty is a product of sincere and effective recognition and respect for the rights of others.

It is logical that some segments of our population, inflamed over personal grievances or the desire for more rapid social change, should become resentful. It is logical that some of them find words of fiery promise attractive as final resolutions to their problems. Logic is cast to the winds, however, when they follow leaders who promise intellectualism through the closing of colleges; justice through the release of accused murderers; peace through the bombing of buildings; and freedom through the kidnapping and killing of public officials.

All of us here tonight know that somehow we must find proper antidotes to social ills such as poverty and unemployment—just as surely as we press our search for medical solutions to cancer and other diseases. With medicine we realize more money and more research must be combined with a third ingredient—the frustrating passage of time.

We must come to the same logical realization concerning social change. We will not clear away poverty tomorrow morning through a magic formula, and certainly not through violence. Revolutionary action will at best slow down the process of curing poverty and at worst will put a complete stop to it. More study, more enlightened and practical legislation, more years of an expanding economy—these are some of the ingredients for a successful attack upon this quiet and deadening plague gnawing at our greatness.

Until this attack results in poverty's unconditional surrender, we know hunger, as well as damages to human dignity and well-being, will continue in many places throughout this nation.

Let those of us who believe in the democratic way admit its processes move more slowly than a dictator's decree. And let others admit that a fire bomb does not destroy the root of whatever grievance they claim—but does destroy public willingness to work for the correction of grievances.

We must continue our search within a democratic structure for opportunities—not guarantees. These opportunities should provide every American with adequate shelter, food and other basic necessities for living—and fringe benefits of spiritual and physical fulfillment as well.

We must remain steadfast in our hopes and our prayers that logic will prevail and those pushing hardest for social change will realize that the sometimes slow pace of democracy still affords the best opportunity. If our prayers are not answered, every measure within our power will be taken to quickly and effectively quell any disorder, because we have no alternative.

As surely as Abraham Lincoln recognized the tragic consequences of his Presidential oath a century ago, others in positions of duly determined authority today know there can be no acceptable dissent outside obvious channels of law and order.

Violent revolution transcends any plausible label of justifiable grievance, because widespread tolerance of lawlessness denies understanding or faith in our democratic processes. These processes are not infallible, but they do allow more unfettered criticism and opposition to elected leaders than any government yet devised on this earth.

When radicals attempt to enforce their views through violence, the privilege of dissent becomes anarchy and it makes a mockery of the democratic constitution which guarantees it. None of us can be allowed to take at gunpoint or through intimidation what we lack or what we covet.

If we wish to enjoy the benefits of free citizens, we must also accept the responsibilities which make that freedom possible—sometimes we must even accept the fact that these responsibilities include offering an attentive ear to those whom we oppose. This nation is not composed of 200 million human islands. We are a vast and inter-related community, and certainly no responsible citizen of that community condones destruction of lives and property.

Equally, this principle applies to any unthinking persons who might attempt revenge upon those with whom they disagree or whom they believe to be in sympathy with radical leaders. This cannot be allowed because we all must be assured adequate protection under law and order. I must answer in the same fashion as each of you to this system of protection for our physical welfare. Law and order can never be a one-way street, I cannot bend it to my own purposes, or flout it, and neither must anyone else be allowed to do so.

No responsible person in this nation can be a partner in the dissolution of our moral strength or forget that in any civilization murder is murder, arson is arson and stealing is stealing—regardless of real or alleged reasons given for them. We cannot exist in chaos because it is weakening and debilitating to any society founded for mutual protection and progress.

No individual or group—regardless of their cause—can be allowed to contribute to chaos. Defiance of accepted and recognized laws only breeds suffering, terror and tragedy.

Our democracy and the citizen family it governs can be improved by orderly change. Never can it be made better and stronger by senseless violence and destruction.

These, ladies and gentlemen, are principles in which we believe. We may strongly oppose Republican leaders for what they have done to our economy, and they may oppose Democrats on other issues, but on the crucial matter of building a better nation within the law we stand as one.

I believe Abraham Lincoln, a Republican, gave us guidance along those lines a century ago which literally determined the fate of the nation. And I believe another man from Illinois, a Democrat, gave us inspiration and leadership on the same topic in this century.

I know all Americans look forward to the time forecast by the late Adlai Stevenson, the father of your distinguished candidate for the United States Senate, who envisioned a day when "no man rattles a saber and no man drags a chain."

THE AMERICAN BANKER URGES THE BANKING COMMUNITY TO FACE THE FACTS

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, the American Banker, a daily publication that goes primarily to the banking industry, has some good advice for the big banks concerning last week's excellent television show, "The Banks and the Poor."

In an editorial on Monday, November 16, the American Banker warns the big banks, the "public is coming to care more and more about what banks are doing to help solve its problems, much more than ever before."

The American Banker goes on to tell the banking industry that it should "accept the challenge head on." The editorial further states:

> This involves a willingness to state their own case with candor and vigor, to say what is being done, what the objectives are, and what the difficulties are along the way, and to be willing to argue the merits of the course with those who will be most affected by its outcome. It involves also a willingness to hear out in full the hopes and gripes of those the banks are seeking ultimately to serve, and even to be held up for criticism by observers who are not impartial.

Many of us in the Congress have long sought this kind of candor from the banks. In most cases, we have not received it. Time after time, the big banks have dodged inquiries from the Congress and have attempted to block even the most basic studies of banking practices. On some occasions, the banks have failed to put in public appearances on important banking legislation at the same time that their lobbyists were hard at work behind the scenes.

Both the public and the banks would benefit from an open and free discussion of the financial issues before the Nation. Such a discussion, however, must mean a full revelation from the big banks; the public and the Congress are not willing to accept the public relations hand-outs as the final word on what the banks are doing.

The NET show, "Banks and the Poor," has hopefully opened a new channel of communication on these vital issues. I commend the American Banker for its forthright editorial on the issues raised by this television show.

Mr. Speaker, I place in the RECORD a copy of the editorial.

TOUGH ORIENTATION COURSE

Bankers on the whole did not like the way they were treated on the recent National Educational Television broadcast "Banks and the Poor." But they still can learn some important lessons from the whole unpleasant experience.

One of the most important generalities, which became sharply focused into a specific example by this episode, is that the more an institution is involved with the public, the more vulnerable it is to criticism. This does

not mean, of course, that exposure should be limited, but rather that a tougher hide and more resilient spirit is required than in more private affairs.

Given the fact that banks are committed, both by their own determination and by the force of events over which they have no control, to increasing involvement in public affairs, then the broad lesson taught by the NET experience may be considered as something in the nature of a freshman orientation course, preparatory for much more rigorous exercises to come.

For the public is coming to care more and more about what banks are doing to help solve its problems, much more than ever before. The banks simultaneously are making much greater efforts in these areas than ever. But both sides are new at it.

The public is not clear about just what it wants from the banks, does not know exactly what the banks can do to deal with various problems, and does not care very much about the heavy constraints placed upon bank activity by both civil law and institutional prudence. Public judgment, to a great extent, starts with the sight of a great deal of money in the hands of the banks, and a great many obvious ways in which it could be used. All too often it stops there too.

The banks, on the other hand, for all their goodwill, are groping into areas where they have not ventured before, and are being asked to go even farther. They are bound to make mistakes, and are bound to be aggrieved when they are charged with these mistakes in loud, intemperate, sometimes even unfair terms, right out in front of the public that they are trying to help.

But there is no point in avoiding it, or even resenting it, unless the banks want to chuck the whole effort and give up any attempt to meet the shifting and intensifying demands of the public they serve. And hardly anybody in the banking business wants to do that.

On the contrary, the industry has made an impressive commitment to change, and specifically to grapple with those of the myriad problems which beset society in the United States today for which it possesses special skills. The challenge is to adapt those skills to the modern, expanded, more public versions of those old problems.

One of the great ways to accomplish adaptation is to become engaged—to accept the challenges head-on, to become experienced in the new, rougher forms of communication. This involves a willingness to state their own case with candor and vigor, to say what is being done, what the objectives are, and what the difficulties are along the way, and to be willing to argue the merits of the course with those who will be most affected by its outcome. It involves also a willingness to hear out in full the hopes and gripes of those the banks are seeking ultimately to serve, and even to be held up for criticism by observers who are not impartial.

This all can be made to contribute to a more perceptive discernment of the vital element in any issue, provided bankers do not let themselves be distracted by peripheral unpleasantness.

It is understandable that bankers do not relish this form of hard contact; but if they are to achieve the goals they have set for themselves, as an industry, as institutions and as individuals, they will have to learn how to learn from it. The big adjustment will come when they can learn not to reject it as improper, but as an expression, however crude, of need, for which banks are being sought for constructive response. In those terms, the dialogue can be eminently worthwhile.

And if the NET program has brought that shock of recognition to bankers who have not realized it before, then it will have been a useful experience, albeit not a pleasant one, and perhaps more effectively educational than its producers anticipated.

A REPLY TO A PERSONAL ATTACK

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, yesterday a Member of this House made a personal attack against me, apparently out of pique for having been linked with banks in various newsstories.

It saddens me that any Member of this body would feel it proper and necessary to stoop to personal attacks on a colleague. Such tactics only reflect on the Member making the attack and upon the good name and reputation of the House of Representatives.

I learned of the personal attack on me some hours after it was delivered on the floor of the House. I immediately communicated with the gentleman from Pennsylvania (Mr. WILLIAMS) and I place in the RECORD a copy of my letter.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., November 16, 1970.

HON. LAWRENCE G. WILLIAMS,
House of Representatives,
Washington, D.C.

DEAR MR. WILLIAMS: Your floor speech attacking me has just been called to my attention. I regret greatly that you did not see fit to follow normal House courtesy in notifying me that you planned a personal attack on another Member. However, the lack of courtesy is not the issue.

As you are probably aware, the filings of campaign expenditures of various political fund-raising committees are required, by law, and must be sworn to by the appropriate official of such committees. Likewise, I hope you are aware that these records are open to public scrutiny and that the various newspaper reporters are free to avail themselves of this information at any time.

Before you made your speech, I am sure you were fully aware that Wright Patman has absolutely nothing to do with the filings by BANKPac or any other fund-raising committee. Likewise, you are aware that I have no control over what any news media might report from the official records on file with the Clerk of the House of Representatives. I am not overly concerned about your charges in this area because I am sure that anyone with even a modicum of understanding of the workings of the House of Representatives or the press would dismiss your statements.

Your statements about the Justice Department investigation are, to put it mildly, puzzling. On October 26, I wrote the Attorney General a detailed letter urging that he take a look at various fund-raising activities being carried on either directly or indirectly by the commercial banking industry. BANK-Pac was mentioned along with a number of other fund-raising activities being carried on by this industry. The filings with the Clerk of the House of Representatives, about which you complain, were apparently not filed until Saturday, October 31. When I wrote my letter to the Attorney General, I had no knowledge whether you or any other Member of the Committee had received contributions from any of these groups.

However, if you are concerned about the Justice Department investigation, it may be well to address your further statements directly to that department. I am in receipt of a letter, dated November 9, from Mr. Will Wilson, Assistant Attorney General, Criminal Division, who states:

"Some of the material referred to in your letter had already come to the attention of the Department . . ."

In short, Mr. Williams, with or without my letter, it is apparent that the Justice Department is pursuing an investigation of such fund-raising activities.

I am certain that you are not serious when you indicate that a Member of Congress should not refer possible law violations to the Justice Department. In fact, the withholding of such information would, in itself, be a violation of the statutes.

Your statement says that you have received assurances from the American Bankers Association concerning the activities of BANK-Pac. I find this information most significant since it was my understanding that the A.B.A. has gone to great lengths to indicate that it has no control over or knowledge of the specific political activities of BANK-Pac. Any information that you have in this area might be quite helpful to further investigations.

In closing, let me emphasize that I fully understand your concern if for some reason your name has been falsely listed in the records. I am sure that there are appropriate steps that could be taken to clarify your position, but I am sure that you can understand that this is not the responsibility of Wright Patman.

Sincerely,

WRIGHT PATMAN.

DEFEAT THE RULE ON THE TRADE BILL

(Mr. VANIK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. VANIK. Mr. Speaker, tomorrow, when the House considers the rule on the trade bill, I hope that the House will vote down the previous question. The trade bill in its present form is totally unacceptable and is a hodgepodge of mischief. It should be defeated.

Today, former Senator Paul Douglas made the following statement in a telephone conversation to me:

The Quota bill of 1970 is worse than the Tariff increase of 1930 that launched a Trade War and led to retaliation on the part of European countries. Though the Smoot-Hawley Act still permitted competition between importers, the Quota bill of 1970 would automatically end competition between importers and result in higher prices to the consumer. It would lead to retaliation on imports from America by other countries and check the normal flow of our goods abroad.

The men opposing this Quota bill are doing this in the best interests of the country and the American consumer in an effort to prevent price increases by domestic monopolies and quasi-monopolies.

I hope the Congress will think long and hard before enacting any form of restrictive trade legislation. The present bill must be defeated.

Senator Douglas is one of 17 surviving signers of a petition by 1,028 economists to President Hoover in 1930 urging that he veto the Smoot-Hawley tariff. Hoover did not and international trade throughout the world was severely damaged, contributing to a deepening depression and the instability of the Western democracies.

Senator Douglas helped draft a warning about the present quota bill, sched-

uled to come before the House tomorrow. This warning and protest, released September 18, was signed by over 4,500 professional economists from every State in the Union.

With Senator Douglas, I urge that we defeat the rule and the bill and make a new start on trade legislation in the next Congress.

TAKE PRIDE IN AMERICA

(Mr. MILLER of Ohio asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation. The United States leads the world in the production of plastics and resins. In 1968 production was 6,689,900 metric tons for the United States compared to 3,413,100 for Japan and 3,256,000 for West Germany.

LEAVES OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. TEAGUE of Texas (at the request of Mr. ALBERT), for today and remainder of week, on account of illness.

Mr. BLATNIK (at the request of Mr. ALBERT), for today, on account of official business.

Mrs. HANSEN of Washington (at the request of Mr. ALBERT), for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HALPERN (at the request of Mr. ESHLEMAN), for 5 minutes, today, to revise and extend his remarks and include extraneous material.

(The following Members (at the request of Mr. CAFFERY), to revise and extend their remarks and include extraneous material:)

Mr. HAMILTON, for 10 minutes, today.

Mr. FLOOD, for 30 minutes, today.

Mr. LOWENSTEIN, for 30 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. FASCELL and to include extraneous material.

Mr. ICHORD.

Mr. SISK to revise and extend his remarks on H.R. 13978.

Mr. HAMMERSCHMIDT, and to include extraneous matter during general debate on H.R. 19519.

Mr. AYRES, immediately preceding the remarks of Mr. STEIGER of Wisconsin in general debate in the Committee of the Whole today.

Mr. DINGELL (at the request of Mr. PERKINS), to extend his remarks immediately preceding the rising of the Committee.

Mr. STEIGER of Wisconsin and to include extraneous matter with the remarks made during debate on H.R. 19519.

DON H. CLAUSEN during his remarks on H.R. 19519 of today.

(The following Members (at the request of Mr. ESHLEMAN) and to include extraneous matter:)

Mr. DENNEY.
Mr. SCHMITZ in five instances.
Mr. PELLY.
Mr. DUNCAN.
Mr. WHITEHURST.
Mr. WYMAN in two instances.
Mr. COLLIER in five instances.
Mr. ROBISON.
Mr. ASHBROOK.
Mr. BROYHILL of Virginia.
Mr. DERWINSKI in four instances.
Mrs. DWYER in three instances.
Mr. REID of New York.
Mr. DAVIS of Wisconsin.
Mr. DELLENBACK.
Mr. RHODES in two instances.
Mr. WHALEN in two instances.
Mr. DON H. CLAUSEN.
Mr. REIFEL.

(The following Members (at the request of Mr. CAFFERY) and to include extraneous matter:)

Mr. LOWENSTEIN in five instances.
Mr. SYMINGTON.
Mr. WALDIE.
Mr. ROYBAL in eight instances.
Mr. FARBSTEIN in four instances.
Mr. BOLAND in two instances.
Mr. MCCARTHY in five instances.
Mr. DINGELL in two instances.
Mr. CONYERS in five instances.
Mr. KYROS.
Mr. JACOBS.
Mr. WOLFF.
Mr. CABELL in two instances.
Mr. ROONEY of New York in two instances.
Mr. COHELAN in three instances.
Mr. DULSKI in five instances.
Mr. FRASER in two instances.
Mr. MINISH.
Mr. HANNA in five instances.
Mr. TEAGUE of Texas in eight instances.
Mr. BOLLING in three instances.
Mr. ZABLOCKI in two instances.
Mr. KOCH in three instances.
Mr. MURPHY of New York in two instances.
Mr. HAGAN in two instances.
Mr. JONES of Alabama in two instances.
Mr. GIBBONS.

ADJOURNMENT

Mr. CAFFERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 43 minutes p.m.), the House adjourned until tomorrow, Wednesday, November 18, 1970, at 12 o'clock noon.

OATH OF OFFICE

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22) (U.S. title 5, sec. 3331), to be administered to Members and Delegates of the House of Representatives, the text of which is carried in section 1757 of title XIX of the Revised Statutes of the United States and being as follows:

"I A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Members of the 91st Congress, pursuant to Public Law 412 of the 80th Congress entitled "An act to amend section 30 of the Revised Statutes of the United States" (U.S.C., title 2, sec. 25), approved February 18, 1948: CHARLES J. CARNEY, 19th District, Ohio; GEORGE W. COLLINS, Sixth District, Illinois; EDWIN B. FORSYTHE, Sixth District, New Jersey; ROBERT H. STEELE, Second District, Connecticut; and JOHN WARE, Ninth District, Pennsylvania.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2544. A letter from the Chief of Legislative Affairs, Department of the Navy, transmitting notice of the intention of the Department of the Navy to donate a surplus firetruck to the borough of New Shrewsbury, N.J., pursuant to 10 U.S.C. 7545; to the Committee on Armed Services.

2545. A letter from the Assistant Secretary of the Interior, transmitting the second 5-year report of the investigation of the need for continuing assistance to Boulder City, Nev., for the cost of supplying water to the municipality, pursuant to section 9(e) of the Boulder City Act of 1958; to the Committee on Interior and Insular Affairs.

2546. A letter from the Assistant Secretary of Commerce, transmitting a finding that there is a need for a specific flammability standard for children's sleep wear, together with the proposed standard for such apparel; to the Committee on Interstate and Foreign Commerce.

2547. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, pursuant to section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

2548. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend Public Law 91–514; to the Committee on Merchant Marine and Fisheries.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. KING:

H.R. 19814. A bill to provide that railroad employees may retire on a full annuity at age 60 or after serving 30 years; to provide that such annuity for any month shall be not less than one-half of the individual's average monthly compensation for the 5 years of highest earnings; and for other purposes; to the Committee on Interstate Foreign Commerce.

By Mr. O'KONSKI:

H.R. 19815. A bill to amend title II of the Social Security Act to provide that an individual's primary insurance amount may be computed on the basis of his 3 years of highest earnings during the 10-year period immediately preceding his retirement or death; to the Committee on Ways and Means.

By Mr. PATMAN:

H.J. Res. 1403. Joint resolution to provide an additional temporary extension of the Federal Housing Administration's insurance authority; to the Committee on Banking and Currency.

By Mr. TEAGUE of California:

H.J. Res. 1404. Joint resolution to authorize the erection of a Seabee memorial; to the Committee on House Administration.

By Mr. TIERNAN (for himself and Mr. CONTE):

H.J. Res. 1405. Joint resolution to authorize the erection of a Seabee memorial in the District of Columbia; to the Committee on House Administration.

By Mr. KING:

H. Con. Res. 784. Concurrent resolution urging the President to determine and undertake appropriate actions with respect to stopping armed attacks on aircraft and passengers engaged in international travel; to the Committee on Foreign Affairs.

By Mr. PATMAN:

H. Con. Res. 785. Concurrent resolution authorizing the printing as a House document, the book entitled, "Our American Government and How It Works: 1001 Questions and Answers"; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN of California:

H.R. 19816. A bill for the relief of Lan thuc Le and Nga Thi Nguyen-Le; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 19817. A bill for the relief of Dan Quoc Dao and his wife, Loan Thi Phung Dao; to the Committee on the Judiciary.

H.R. 19818. A bill for the relief of Dzung thi Kim Tran and Nguyet thi Tran; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

632. By the SPEAKER: Petition of Orville L. Cain, Grass Valley, Calif., relative to redress of grievances; to the Committee on the Judiciary.

633. Also, petition of the General Executive Board of the International Ladies' Garment Workers' Union, relative to imports of women's and children's apparel; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

THE TRANSITION FROM WAR TO PEACE

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 1970

Mr. SIKES. Mr. Speaker, the House has great appreciation for Secretary of Defense Melvin Laird, a long-time, outstanding Member of this body. He has gained important new laurels as the head of a great and essential branch of our Government. I take pleasure in presenting for reprinting in the CONGRESSIONAL RECORD an address delivered by Secretary Laird in Chicago on October 22 before the Chicago Council on Foreign Relations:

ADDRESS BY THE HONORABLE MELVIN E. LAIRD

The United States today is in transition from an old era to a new era; America is in transition from war to peace.

I want to talk with you about our number one goal—peace—about the policies which the Nixon Administration is pursuing to achieve it, and about a strong military assistance program as an indispensable ingredient of our strategy for peace.

The transition of our country from war to peace is seen in the steady reduction of American troop strength in Vietnam; in the decreasing American casualties; and in the declining economic burden of the war in Indochina.

Our country also is in transition from the outdated defense policy of the past—a policy in which we carried a disproportionate burden—toward a new policy of shared responsibility.

Our country is in transition from a foreign policy of confrontation toward a policy of negotiation.

These changes in our relations with other nations have a most significant impact on our domestic affairs, enabling us to begin also a momentous transition at home.

The United States today is in transition from a wartime economy to a peacetime economy. A massive shift of manpower and other productive resources is taking place. The economy is readjusting itself from production for what once had seemed an endless war to production for peace—hopefully the first full generation of peace in the 20th Century.

Our country is in transition, as well, from a defense-dominated federal budget to one in which spending for defense is overshadowed by spending for human resources.

And, our country is in transition from military forces obtained in large part through the draft toward military forces composed increasingly of volunteers. Our objective is to reach zero draft calls by July, 1973.

The great goal we are seeking through these multiple transitions is peace for the generation of Americans now reaching maturity—a just and lasting peace, peace in Southeast Asia, in the Middle East, peace everywhere.

This goal of general peace is not a utopian dream. It is not beyond our reach. It would, of course, be utopian to expect that peace will be attained by a miraculous evaporation of the ideological differences among nations. It would be utopian to expect peace to be accomplished by the sudden disappearance of the clash of national interests or of historic antagonisms.

It would be equally utopian to expect that the goal of general peace can be reached by unilateral disarmament or by blind trust in the intentions of adversary nations.

But it is *not* utopian to believe that mankind's common interest in avoiding the potential horror of future wars can lead nations to choose other means of resolving differences.

The strategy by which we hope to realize our goal of peace is summarized in the three pillars of President Nixon's Foreign Policy for the 1970's—partnership, strength, and a willingness to negotiate.

The course which the President has chosen to attain this goal is the course of shared responsibiiity. It is not the path of isolationism—which history has taught us, does not lead to peace in the world. Nor is it the path of the pax Americana, which would impose on our country the burden of bearing principal responsibilty for the safeguarding a peace everywhere in the world against all possible threats.

The President's course carefully maintains a level of military strength adequate to meet the threats to our security, avoiding truculence, provocation, or domination on the one hand and, avoiding, on the other, the weakness that invites aggression.

The President's course is the path of meaningful negotiation. It is not the inflexible intransigence of non-negotiable demands, nor is it a mindless willingness to barter away our rights—or the rights of any other nation—in order to achieve agreement.

I do not underestimate the problems and the obstacles that lie along the paths we are pursuing. And I know that the question of whether we reach our goal will not be unilaterally settled by what we alone do or fail to do; for peace is not a gift that any one nation by itself can bestow on the world.

Therefore, one of the pillars of our foreign policy is this willingness to negotiate. We are attempting to give fresh impetus to the process of international negotiation. We do so both by using this practice for the settlement of our problems with other nations and also by encouraging negotiation between other states to settle problems in which we are not directly involved.

We have demonstrated our willingness to negotiate and to help others in getting to the negotiating table—in Vienna, Helsinki, Paris, New York, Washington, and several other places around the world.

Of course, if negotiation is to succeed in avoiding conflict, the willingness of one disputing party to negotiate must be matched by equal willingness on the part of other parties.

It must be clearly understood that if this mutual willingness to negotiate existed with relation to the war in Southeast Asia, hostilities there could be speedily brought to an end on terms that are fair to all parties.

President Nixon has clearly offered the elements of a just peace in Southeast Asia. His proposal has been endorsed by the Republic of Vietnam, the Republic of Cambodia, and the Kingdom of Laos. Hanoi, of course, has so far publicly rejected this suggestion as it did the President's earlier proposals for peace.

I hope Americans always will remember that neither peace nor freedom is secure if willingness to negotiate is not constantly complemented by military strength.

Recent events in the Middle East demonstrated again the value of the military strength which the United States has maintained in the Mediterranean. For more than 20 years, the Sixth Fleet has been in that