

Thomas E. Swindell  
 Richard M. Swink  
 Gerald L. Tauber  
 William H. Tawney  
 James D. Taylor, Jr.  
 Thomas W. Taylor  
 Bobby A. Templeton  
 J. T. Tenpenny  
 Jack T. Terrell  
 Gerard P. Tetu  
 John H. Thomas  
 William E. Thomas, Jr.  
 Richard A. Thome  
 Melvin L. Thompson  
 Kenneth E. Thorn  
 Joseph Thurmond  
 Richard E. Toepfer  
 Charles N. Tofft  
 Ralph E. Toholsky  
 Jerry L. Tomlinson  
 William G. Tomlinson  
 William E. Toombs  
 Wayne L. Treece  
 Eugene M. Trippleton  
 Winfield R. Trott, Jr.  
 Guilford D. Tunnell  
 Conrad B. Turney  
 Richard D. Twiford  
 Leonard D. Tygart  
 Robert J. Underwood  
 James J. Unger  
 Erwin G. Vansickle  
 Robert E. Veigel  
 Michael D. Villarreal  
 Richard L. Vincent  
 James P. Wagner  
 Larry F. Wahlers  
 Donald B. Walaconis  
 Jerry E. Walker  
 Lowell A. Walker  
 Willard C. Walker  
 William D. Walkup, Jr.  
 Bernie J. Wallace  
 Charles L. Wallace  
 Charles A. Waller  
 Robert Waltman, Jr.  
 Thomas R. Ward  
 John R. Waterbury  
 Henry L. Watson, Jr.  
 Carl V. Watts

John R. Watts  
 John M. Weathersby  
 Fred L. Weaver  
 James P. Weaver  
 Patrick J. Webb  
 Richard D. Webb  
 Robert J. Weeks  
 Robert W. Weeks  
 Herbert D. Wells  
 Ronald R. Welsh  
 Lloyd J. Wengeler  
 Robert R. Wenkelmer  
 Lloyd M. Wentworth, Jr.  
 Kenneth L. Werbinski  
 James M. Wheatley  
 Charles E. Whitaker  
 Jacky I. White  
 Robert L. White  
 Jackie D. Whiteaker  
 William A. Whiting  
 Dale J. Whitten  
 Robert N. Wiggs  
 James V. Wilkinson  
 Joe H. Willer  
 Russell O. Willson  
 John C. Wilson  
 Kenneth L. Willson  
 Bruce M. Wincentsen  
 Hershel E. Wisdom  
 Michael J. Witsell  
 William J. Witt  
 Charles F. Wolverton  
 Albert F. Wood  
 Charles R. Wood  
 Samuel J. Wood  
 James M. Woods  
 Charles W. Woods  
 Robert L. Woodward  
 Peter A. Woog  
 Billy J. Wright  
 Charles G. Wright  
 Eddie B. Wright  
 Leslie Yancy  
 Charles M. Yarrington  
 Jere W. Yost  
 Theodore A. Youngblood  
 Edward M. Zerbe  
 Dennis R. Zoerb  
 Roger D. Zorens

The following-named officers of the Marine Corps for temporary appointment to the grade of chief warrant officer (W-2):

Joseph N. Anderson  
 Willie A. Armstead  
 Russell P. Armstrong  
 Wayne D. Bahr  
 Chester R. Barnes, Jr.  
 Leon W. Barry  
 Bonnie H. Bass  
 Richard J. Beatty  
 Ronald C. Biggs  
 Stuart W. Blake  
 Archie G. Bobo  
 Gerald J. Bolick  
 Bruce E. Boltze  
 Robert L. Bowen  
 Reganold A. Bowser  
 Dennis A. Braund  
 Albert K. Britton  
 Charles J. Bruce  
 Murray W. Bryant  
 Thomas R. Burnham  
 Bernard C. Burke  
 Harold D. Byerly  
 Ben W. Caesar  
 Robert L. Caldwell  
 Francis J. Carr  
 James E. Carter  
 Donnie E. Cavinder  
 Jackie E. Certain  
 Owen D. Clark  
 John H. Cole, Jr.  
 Gregory Connor  
 William B. Corley, Jr.  
 William H. Cox  
 Rex L. Curtis  
 Jesse A. Dobson  
 Eldon L. Dodson  
 James F. Doner, Jr.  
 Charles J. Dotson  
 Arthur J. Douglas  
 John B. Duckett  
 Terrell L. Dulaney  
 William L. Dulaney  
 James M. Edgerton  
 Dennis Egan  
 Donald T. Eskam  
 Riley S. Ethington  
 John E. Fales  
 Charles A. Fitzgerald  
 Sandra L. Furber  
 Earl G. Gale III

Vasco K. Gilbert  
 Jesse E. Giles  
 Leon E. Gingras, Jr.  
 Phillip E. Goble  
 William M. Grant  
 Richard L. Gregg  
 William L. Grinnell  
 James W. Grooms  
 Hubert A. Grummer  
 Edward B. Guckert  
 Charles W. Hahne  
 Henry D. Halloway  
 Frank R. Hart  
 Albert L. Hayes  
 Harold S. Heinbaugh  
 John D. Henry  
 David M. Highwarden  
 William J. Hisle III  
 Raymond L. Hug  
 Bobby E. Humeston  
 Guy L. Hunter, Jr.  
 Robert R. Irvine  
 Raymond T. Jackson  
 Harold R. Jacobs  
 William R. Johnson  
 Ronald L. Jones  
 Michael B. Kennedy  
 Allen F. Kent  
 Joe Killebrew  
 Orville P. Kindschy  
 Leslie C. King  
 Chester C. Kinsey  
 Aurel E. Lafreniere  
 Charles E. Lambert  
 Albert R. Lary  
 Robert L. Laudun  
 Thomas L. Laws  
 Philip D. Leslie  
 Donald C. Lewins  
 John E. Lewis  
 Roger L. Lorenz  
 Lawrence G. Lowry  
 John W. Loynes  
 Raymond J. Main  
 John P. Marlowe  
 Barry E. Marsh  
 Benjamin A. Marsh  
 Charles J. McCormick  
 Howard McDonald  
 William L. McGinn

Larry G. Merrifield  
 Daniel E. Miller  
 William H. Miller  
 John Molko  
 Allen R. Morris  
 James T. Morris  
 Lawrence T. Mullin  
 James Muschette, Jr.  
 Nicholas P. Nester  
 Hillman R. Odom, Jr.  
 William D. Penn  
 Walter D. Perry  
 Jimmie F. Peters  
 Charles T. Pettigrew, Sr.  
 Robert P. Phillips  
 Alfred M. Pitcher  
 Wilfred Puumala  
 Paul F. Quinn  
 Virgil G. Rhoads  
 William C. Riddle, Jr.  
 Joseph F. Rizzo  
 Richard A. Rossi  
 Eileen R. Scanlon  
 Walter R. Schuette  
 Michael J. Schulke  
 John D. Scroggins  
 John C. Seig  
 Arnoldo T. Serrata  
 Michael L. Shanklin  
 Albert W. Sheldon  
 William F. Shidal, Jr.  
 Charles R. Shoemaker  
 Dan W. Showalter, Jr.

David E. Shumpert  
 Wilbert O. Sisson  
 Charles G. Skinner  
 Lloyd L. Skinner  
 Minter C. Skipper, Jr.  
 Thomas L. Slaughter  
 Charles L. Smith  
 Isaac A. Snipes  
 Jeffrey J. Snyder  
 Elias J. Soliz  
 Herbert B. Stafford  
 Kimble H. Stoltz  
 Ronald J. Stopka  
 Joseph J. Stours  
 Robert L. Strawser  
 George B. Strickroth  
 James M. Thomas  
 Michael E. Thomas  
 Paul W. Thomas  
 Paul R. Tippy  
 Terry N. Tracy  
 Bennie R. Walker  
 Jesse L. Webb  
 Ford D. White  
 William T. White  
 Arthur P. Williams  
 Jerome K. Williams  
 Bruce M. Windsor, Jr.  
 Richard K. Wolfe  
 Robert L. Woody, Jr.  
 Richard L. Yoerk  
 Charles E. Young  
 William C. Young  
 Arthur Yow, Jr.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate December 1 (legislative day of November 29), 1971:

#### U.S. DISTRICT COURT

Thomas A. Flannery, of Maryland, to be a U.S. district judge for the District of Columbia.

Leroy J. Contle, Jr., of Ohio, to be a U.S. district judge for the northern district of Ohio.

Kenneth K. Hall, of West Virginia, to be a U.S. district judge for the southern district of West Virginia.

## HOUSE OF REPRESENTATIVES—Wednesday, December 1, 1971

The House met at 12 o'clock noon.  
 The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

*Therefore, my beloved brethren, be ye steadfast, unmovable, always abounding in the work of the Lord, forasmuch as ye know that your labor is not in vain in the Lord.—I Corinthians 15: 58.*

God of grace and God of glory on us Thy children pour Thy power that we may bring to glorious flower the buds of democracy planted and nurtured by our fathers. To this end help us to recognize our dependence upon Thee, our constant need of Thy wisdom, Thy guidance, and Thy love. Keep us aware of Thy presence and make us realize that Thou art always with us and that with Thee we are equal to every experience and ready for every responsibility. Give us strength enough to do the work we have to do and faith enough to be loyal to our tasks knowing that with Thee our labor is never in vain.

May Thy spirit enter the heart of all nations that men and women everywhere may turn to Thee for guidance and strength and in so doing make this

planet a better place where men can dwell together in peace.

In the spirit of Him who was always about his Father's business we pray. Amen.

#### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 10383. An act to enable professional individuals and firms in the District of Columbia to obtain the benefits of corporate organization, and to make corresponding changes in the District of Columbia Income and Franchise Tax Act; and

H.R. 11489. An act to facilitate the amendment of the governing instruments of certain charitable trusts and corporations subject to the jurisdiction of the District of Columbia, in order to conform to the requirements of section 508 and section 664 of the Internal Revenue Code of 1954, as added by the Tax Reform Act of 1969.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 9727) entitled "An act to regulate the dumping of material in the oceans, coastal, and other waters, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. HOLLINGS, Mr. HART, Mr. BAKER, and Mr. STEVENS to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1163. An act to amend the Older Americans Act of 1965 to provide grants to States for the establishment, maintenance, operation, and expansion of low-cost meal projects, nutrition training and education proj-

ects, opportunity for social contacts, and for other purposes.

The message also announced that Mr. MILLER had been appointed as a conferee in place of Mr. BENNETT for the remainder of this week on the bill (H.R. 10947) entitled "An act to provide a job development investment credit, to reduce individual income taxes, to reduce certain excise taxes, and for other purposes."

#### DECISIVE UPTREND IN ECONOMY

(Mr. ANDERSON of Illinois asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ANDERSON of Illinois. Mr. Speaker, the latest reports on the economy reveal that the leading economic indicators registered a substantial 1.2-percent increase in October. Harold C. Passer, Assistant Secretary of Commerce for Economic Affairs, has called this increase a decisive uptrend and stated that such an increase is "consistent with private forecasts of a vigorous expansion of the economy in 1972." Of the separate series which make up the overall index, Mr. Passer indicated that the greatest improvement came in new housing permits, length of the average work week, and initial claims for unemployment insurance which declined during October.

Housing starts increased dramatically during October, rising to an annual rate of 2,050,000. This is 5 percent above the September rate and almost 30 percent above the rate in October 1970. It now appears that 1971 will be the best year ever for new housing in the United States, with the resultant stimulative effects on the rest of our economy.

Accompanying this record activity in housing has been the rapid increase in total consumer credit. During the month of September consumer installment credit, seasonally adjusted, rose by almost \$1 billion. This was a record monthly increase and represented four times the increase in consumer installment credit during September 1970. Such a rapid increase in installment buying is attributable to a strong resurgence of public confidence in our economy, confidence which, incidentally, has resulted from the administration's vigorous and innovative economic leadership.

The overall effect of these very favorable economic developments has been reflected in recent activity in the stock market, which in the past week has seen the Dow Jones industrial average jump by over 30 points. It is fair to say that this increase in stock values reflects the business community's increasing confidence in a strong business expansion during 1972.

#### TRIBUTE TO MRS. ANITA FORD ALLEN, FORMER PRESIDENT OF THE DISTRICT OF COLUMBIA BOARD OF EDUCATION

(Mr. WYATT asked and was given permission to address the House for 1 minute.)

Mr. WYATT. Mr. Speaker, I wish to take this opportunity to commend one

of the most outstanding public servants in the District of Columbia, the former President of the District of Columbia Board of Education, Mrs. Anita Ford Allen, for her outstanding leadership and contribution to improving education in the Nation's Capital. While a member of the Board she devoted her time and energy to lighting candles toward a better future for all children through improved education. Her positive input and impact on education in the Nation's Capital will be felt for a long time.

As a member of the Appropriations Committee, I have had the opportunity of working closely with this remarkable woman on education matters and always found her extremely knowledgeable and capable. Mrs. Allen possesses outstanding qualities of courage, perseverance, intelligence, independence, integrity, and hard work.

Mrs. Allen possesses a passionate and unyielding concern to make quality education happen in the Nation's Capital. She leaves her position on the Board of Education disappointed that she could not have accomplished more in her time on the Board. The departure of Mrs. Allen from the School Board leaves a deep void as her dedication and competence in the area of education will be difficult to duplicate.

#### CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. BOGGS. 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. 419]

Abblitt	Dent	Macdonald,
Anderson,	Derwinski	Mass.
Tenn.	Diggs	Mills, Ark.
Andrews, Ala.	Dowdy	Nelsen
Ashley	Edwards, La.	Pepper
Baring	Ellberg	Price, Ill.
Belcher	Erlenborn	Pryor, Ark.
Bergland	Evins, Tenn.	Rallsback
Blanton	Foley	Randall
Blatnik	Fulton, Tenn.	Reid, N.Y.
Broyhill, Va.	Gallagher	Riegle
Burton	Gray	Rodino
Byrne, Pa.	Gubser	Ryan
Carey, N.Y.	Halpern	Scheuer
Celler	Hanna	Sikes
Chamberlain	Hébert	Sisk
Chisholm	Heckler, Mass.	Springer
Clark	Horton	Symington
Clay	Jones, N.C.	Willson,
Collins, Ill.	Karth	Charles H.
Conyers	Landrum	Wright
Davis, S.C.	Lent	Yates
Dellums	McClory	

The SPEAKER. On this rollcall 365 Members have answered to their names, a quorum.

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

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on the following dates

the President approved and signed bills and a joint resolution of the House of the following titles:

On November 18, 1971:

H.R. 1680. An act to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk;

H.R. 5060. An act to amend the Fish and Wildlife Act of 1956 to provide a criminal penalty for shooting at certain birds, fish, and other animals from an aircraft;

H.R. 8629. An act to amend title VII of the Public Health Service Act to provide increased manpower for the health professions, and for other purposes;

H.R. 8630. An act to amend title VIII of the Public Health Service Act to provide for training increased numbers of nurses; and

H.R. 11418. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1972, and for other purposes.

On November 20, 1971:

H.J. Res. 946. Joint resolution making further continuing appropriations for the fiscal year 1972, and for other purposes.

November 23, 1971: H.R. 155. An act to facilitate the transportation of cargo by barges specifically designed for carriage aboard a vessel.

On November 24, 1971: H.R. 4729. An act to amend section 2107 of title 10, United States Code, to provide additional Reserve Officers' Training Corps scholarships for the Army, Navy, and Air Force, and other purposes;

H.R. 6723. An act to provide subsistence allowances for members of the Marine Corps officer candidate programs;

H.R. 6724. An act to amend section 209(a) and (b) of title 37, United States Code, to provide increased subsistence allowances for Senior Reserve Officers' Training Corps members;

H.R. 7950. An act to repeal sections 3692, 6023, 6025, and 8692 of title 10, United States Code, with respect to pilot rating requirements for members of the Army, Navy, Marine Corps, and Air Force; and to insert a new section 2003 of the same title; and

H.R. 8656. An act to amend titles 37 and 38, United States Code, relating to promotion of members of the uniformed services who are in a missing status.

On November 27, 1971: H.R. 7072. An act to amend the Airport and Airway Development Act of 1970 to further clarify the intent of Congress as to priorities for airway modernization and airport development, and for other purposes.

#### PERSONAL EXPLANATION

(Mr. DRINAN asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. DRINAN. Mr. Speaker, on rollcall No. 417 yesterday, the amendment by Mr. DANIELSON, I am recorded as having voted "aye." I had intended to vote against this amendment, which was intended to strike that portion of the amendment by Mr. HARVEY which requires the filing of campaign statements in U.S. district courts. The vote on rollcall No. 417 was 230 ayes, 154 noes.

#### PERSONAL EXPLANATION

(Mr. DULSKI asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. DULSKI. Mr. Speaker, I was absent on official business and missed 20 rollcalls and nine quorum calls. Had I been present and voting I would have



voted "yea" on rollcalls Nos. 379, 380, 385, 386, 387, 388, 389, 390, 395, 398, 401, 402, and 406. I would have voted "nay" on rollcalls 378, 382, 383, 384, 391, 399, and 400.

# CONFERENCE REPORT ON S. 1483, FARM CREDIT ACT OF 1971

Mr. POAGE. Mr. Speaker, I call up the conference report on the bill (S. 1483) to further provide for the farmer-owned cooperative system of making credit available to farmers and ranchers and their cooperatives, for rural residences, and to associations and other entities upon which farming operations are dependent, to provide for an adequate and flexible flow of money into rural areas, and to modernize and consolidate existing farm credit law to meet current and future rural credit needs, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report. The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of November 19, 1971.)

Mr. POAGE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today I present to the House the conference report on the Farm Credit Act of 1971. I believe the House has every reason to be pleased with the work of the House conferees because we emerged from conference with the House version virtually intact. There were 25 substantive differences between the House and Senate bills and the House bill prevailed except on one of the points, and that is listed as No. 5a on page 50 of the conference report.

When this legislation passed the House, I advised my colleagues during debate that the bill I sponsored with Mr. BELCHER, Mr. McMILLAN, and Mr. CHARLES TEAGUE was the result of compromise between those segments of the Farm Credit System that supported the original bill introduced by Mr. McMILLAN and those that preferred the version introduced later by Mr. CHARLES TEAGUE and me. Informal meetings were held in an effort to get together on a new bill. Messrs. TEAGUE, McMILLAN and I met with representatives of the differing segments of the Farm Credit System and a representative of the Governor of the Farm Credit System. I would like to say now that all who were present at these meetings expressed their position in an honest and straightforward manner. A sincere spirit of compromise prevailed and the result was the introduction of a new bill which passed this House on November 1, 1971, by a vote of 331 to 19.

We then went to conference and we are most grateful that the Senate conferees understood the hard work we had done in this body to reach a consensus of opinion. The Senate conferees, taking note of the fact that the Farm Credit System generally supported the House

version, recognized that we had already had what might be called a "conference" on the bill. Therefore, a general endorsement of the House bill occurred in conference, and the conference report before us today is essentially the House-passed bill. I want to commend the Senate conferees for their willingness to recognize the unique position of the House conferees.

I shall not take the time of the House to elaborate on the substance of the conference agreement. The details are included in the statement of managers. I would only mention that there was considerable controversy over the House report language dealing with the insurance services which should be rendered by Farm Credit System lenders to their members. The House report language was quite restrictive while the Senate report was silent on the issue. In conference, we worked out report language which we feel will permit the Farm Credit System to adequately serve its borrowers without endangering legitimate insurance agents and companies with unfair competition. Our conference report language makes it clear that a Farm Credit System borrower could not be forced to purchase insurance through the system but would be advised by the system lender that he has an option of purchasing it elsewhere if he so desires. The conference report language on insurance is designed to assure that the Farm Credit System does not venture into areas of insurance activity that are not directly related to the loans involved.

Mr. Speaker, this is a good conference report. We have before us landmark legislation designed to assist rural America. This Farm Credit System is a magnificent story of success and accomplishment. The legislation will help satisfy the credit needs of America's rural areas. I, therefore, urge the House to approve the conference report.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from California.

Mr. TEAGUE of California. Mr. Speaker, I thank the gentleman for yielding.

I only wish to state that the gentleman from Oklahoma (Mr. BELCHER) and I were members of the conference committee, and we both signed the report. Unfortunately, the gentleman from Oklahoma (Mr. BELCHER) cannot be here today.

I should like to repeat what the distinguished chairman, the gentleman from Texas (Mr. POAGE) has said, that the Senate receded in 24 out of the 25 differences between the two Houses, so I, too, believe that we have brought back to the House essentially the same bill we passed here a few weeks ago, and I recommend that the conference report be adopted.

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

Mr. POAGE. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I wonder if the distinguished chairman of the Committee on Agriculture would enlighten

the Members about the one difference in which the opinion of the House did not prevail, and I am particularly interested in whether it will cost the taxpayers more and/or whether or not it was germane to the House-passed bill.

Mr. POAGE. Mr. Speaker, in reply to the inquiry of the gentleman from Missouri, I would state that it relates to the business done by cooperative entities with nonmembers. The Senate excludes from the 50 percent of the business with nonmembers services and supplies furnished as public utilities, and the House accepted that provision.

Mr. HALL. Mr. Speaker, I appreciate the explanation given by the gentleman from Texas. This in no wise did any damage to the individual voting on marketing orders, and so forth; vis-a-vis the cooperatives voting en banc, for them?

Mr. POAGE. The answer is "No."

Mr. HALL. Mr. Speaker, I thank the gentleman.

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

Mr. POAGE. I yield to the gentleman from Montana.

Mr. MELCHER. Mr. Speaker, as the distinguished chairman of the committee will recall, we in committee voted on the question of what type of insurance we would allow the PCA's to sell. I think our committee vote was about 15 to 2 to limiting PCA's only to handling credit life insurance. I am interested in determining what the intentions of the committee on conference were in this field.

Mr. POAGE. The conference report points out that we proposed to continue the same procedure we have had in the past as far as the writing of insurance by the associations is concerned.

Mr. MELCHER. Would this limit it in any way?

Mr. POAGE. It does not limit it, and it does not expand it. We did not change that by law, and the report simply attempts to carry out the same practices that we have been following.

Mr. MELCHER. But it goes beyond credit life insurance?

Mr. POAGE. Some of the associations have been writing more than credit life insurance; they have been writing hail, and they have been writing several types of insurance.

Mr. MELCHER. This, then, is the concession that the House conferees gave to the Senate conferees?

Mr. POAGE. I would not say that it is. There was no change whatever in the law on this point. We did not make any concessions to the Senate there. But in writing the report we do attempt to make clear that we intend to allow the sale of what they have been selling in the past.

Mr. MELCHER. But no more?

Mr. POAGE. But no more.

Mr. MELCHER. Mr. Speaker, I thank the gentleman.

Mr. POAGE. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

**FIFTEENTH ANNUAL REPORT OF  
PRESIDENT ON TRADE AGREE-  
MENTS PROGRAM — MESSAGE  
FROM THE PRESIDENT OF THE  
UNITED STATES (H. DOC. NO.  
92-178)**

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Ways and Means and ordered to be printed:

*To the Congress of the United States:*

In accordance with Section 402(a) of the Trade Expansion Act of 1962, I transmit herewith the Fifteenth Annual Report of the President on the Trade Agreements Program. This report covers the year 1970.

World trade in 1970 maintained a high rate of growth for the third successive year, reaching over \$279 billion. In the case of the United States, exports rose by approximately 14 percent while imports were up 11 percent. While this performance yielded a merchandise trade surplus of over \$2 billion as compared with \$624 million and \$660 million in 1968 and 1969, respectively, the improvement fell far short of the level required for the United States to restore a sound balance of payments position.

Throughout the year U.S. representatives actively sought the cooperation of our major trading partners in the reduction of barriers to U.S. exports and in other measures that would enable our products to compete with those of other countries in both the U.S. and the world market. Some progress was made, but certain very significant problems remained unsolved. Domestically, monetary and fiscal policies contributed to a deceleration in price increases, but in some of our major product lines U.S. producers were not able to retain their share of the market at home or internationally.

At the close of 1970, the outlook for U.S. trade involved a number of uncertainties. Domestically, the most basic element was our ability to make further progress toward price stability. Abroad, the prospects were not clear with regard to levels of economic activity and rates of inflation in a number of industrialized countries. One of the most basic unknowns was the extent to which our major trading partners would recognize the seriousness and urgency of greater international cooperation on monetary reforms and other measures to facilitate balance of payments adjustment.

While we had hoped that these uncertainties could be favorably resolved without unilateral action, this was not the case and by mid-1971 the United States, for the first time in this century, faced the prospect of a deficit in its balance of merchandise trade. To deal with this situation and to achieve interrelated domestic goals, the New Economic Program was launched on August 15. With the cooperation of other major economic powers, I am confident that the deterioration in our merchandise trade balance, which was threatening at the end of 1970 and which reached intolerable proportions in the spring of 1971, will be sufficiently im-

proved that the present U.S. surcharge on imports can be removed.

This Administration remains firmly committed to the goal of expanding world trade through the further reduction of national barriers to imports, the development of more equitable rules to govern export competition in international markets, and the elimination of discriminatory measures by trade blocs. The Program instituted in August will contribute to our basic trade policy objective by providing essential interim support to the domestic economy while more fundamental arrangements are being worked out to restore sound equilibrium with the rest of the world.

Improvement of the world trade and monetary systems has been given a high priority by this Administration. The United States stands ready to do its fair share in international efforts to achieve these ends. We expect other governments to respond with a similar sense of responsibility in the interest of promoting prosperity and amicable economic relations throughout the world.

RICHARD NIXON.

THE WHITE HOUSE, December 1, 1971.

**PERMISSION FOR COMMITTEE ON  
MERCHANT MARINE AND FISHERIES  
TO FILE REPORT ON H.R.  
10420 UNTIL MIDNIGHT SATURDAY**

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries may have until midnight Saturday, December 4, to file a report on the bill (H.R. 10240), to protect marine mammals, to establish a Marine Mammal Commission, and for other purposes, which was reported unanimously from that committee this morning.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I was unable to hear the gentleman. Will the gentleman tell us what this legislation is about.

Mr. DINGELL. Mr. Speaker, I was aware of the fact that my good friend, the gentleman from Iowa, was on the floor so I indicated that this is the bill for the protection of marine mammals, which was reported unanimously by the Committee on Merchant Marine and Fisheries. There is no controversy as to the bill as I understand it.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

**PERMISSION FOR THE COMMITTEE  
ON RULES TO FILE REPORTS**

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain reports.

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

There was no objection.

**PROVIDING FOR THE CONSIDERA-  
TION OF H.R. 11589, FOREIGN SALE  
OF CERTAIN PASSENGER VESSELS**

Mr. MATSUNAGA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 697 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 697

*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. 11589) to authorize the foreign sale of certain passenger vessels. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Merchant Marine and Fisheries, the bill shall be read for amendment under the five-minute rule. 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. The gentleman from Hawaii (Mr. MATSUNAGA) is recognized for 1 hour.

Mr. MATSUNAGA. 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 697 provides for consideration of H.R. 11589, which, as reported by our Committee on Merchant Marine and Fisheries, would authorize the foreign sale of five U.S.-flag passenger vessels now in layup status, specifically excluding two other passenger vessels in similar inactive status. The resolution provides an open rule with one hour of general debate, after which the bill shall be read for amendment under the 5-minute rule.

Mr. Speaker, all seven of these ships were constructed with the aid of construction-differential subsidy. Under existing law, ships built with such aid must remain documented under the laws of the United States for a period of 25 years. None of these vessels has reached the end of such statutory period. Thus, specific statutory authority is needed to sell the five passenger vessels to foreign registry.

H.R. 11589 would authorize the foreign sale of the vessels *SS Brasil*, *SS Argentina*, *SS Constitution*, *SS Santa Paula*, and *SS Santa Rosa*. The sale of these vessels would be subject to the prior approval of the Secretary of Commerce, and the prospective purchaser must agree to certain restrictions, including the availability of the vessel to the United States in time of emergency and the noncarriage of passengers and cargo in competition with any U.S.-flag passenger ship for a period of 2 years.

The bill would specifically exclude from such foreign sale the ships *SS Independence* and *SS United States*. Although future plans for the *Independence* are not spelled out in the legislation, that vessel is to be acquired by



American interests for reactivation under the American flag as a cruise ship along the east coast. However, the sale cannot be consummated without a loan, and the present owners of the seven passenger vessels jointly have agreed to provide the option-holder a loan for purposes of acquiring the *SS Independence* if H.R. 11589 is enacted.

The legislation further provides for the purchase of *SS United States* by the Secretary of Commerce for layup in the National Defense Reserve Fleet.

Mr. Speaker, all seven passenger ships have been in layup status for periods extending from 1 year to 3 years. Their owners were compelled to inactivate them because of heavy losses incurred in their operation. Ironically, layup losses, although not as substantial, continue to be a serious financial drain on the shipowners. Not only is the financial well-being of the shipowners in jeopardy, but the ships are also rapidly deteriorating and it is feared that they may soon be worth very little on the world market.

Another important consideration is that the provisions of the bill relating to the first five-named vessels do not preclude their sale to American purchasers. In fact, since the layup of the vessels here involved, their owners have been willing to consider any offer from American interests. They are prepared to consider any future offers from U.S. citizens, but past experience shows that this legislation is the only real hope that the shipowners have to lift them out of their present financial dilemma.

Finally, the provisions of the bill require that the proceeds from any foreign sale be committed to construction of new vessels under the American flag. This is expected to stimulate activity in our sluggish shipyards and provide new seagoing employment.

Mr. Speaker, I urge the adoption of House Resolution 697 in order that H.R. 11589 may be considered.

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

Mr. MATSUNAGA. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding. A few minutes ago the gentleman obtained permission on behalf of the Rules Committee to have until midnight tonight to file certain reports. Do I correctly recall that the Rules Committee was supposed to have shut the door and gone out of business on October 1 or about October 1?

Mr. MATSUNAGA. I will inform the gentleman that this pertains to an appropriation measure.

Mr. GROSS. Even so, I thought the Rules Committee had said it was out of business on or about October 1. This happens to be December 1.

Mr. MATSUNAGA. The gentleman will recall that the Rules Committee did not shut its doors on emergency matters, and this happens to be an emergency matter.

Mr. GROSS. By what construction?

I withdraw that question, because an emergency can be just about anything that anyone wants to determine.

Mr. MATSUNAGA. I thank the gentleman for withdrawing his question.

Mr. GROSS. But what is this pending bill—a subsidy in reverse?

Mr. MATSUNAGA. It is a bill which has been made necessary because of existing circumstances. The gentleman may, of course, raise the same question when the bill is being considered in the Committee of the Whole, but the word we got in the Rules Committee—and I have been convinced of it—is the dilemma in which the shipowners find themselves is in desperate need of a solution and the only solution appears to be this bill.

Mr. GROSS. In other words, they have priced themselves out of the market?

Mr. MATSUNAGA. I suppose the gentleman might say that might be one reason; some seem to think it is a lack of American ingenuity.

Mr. GROSS. And now they want the taxpayers to answer their SOS.

Mr. MATSUNAGA. In certain respects this would relieve the taxpayer in that it would prevent further losses on the part of the shipowners, and if the losses are permitted to continue, the shipowners may come in for increased fares in other areas, which may mean increased taxes on the taxpayers in the form of higher fares.

Mr. GROSS. My friend, the gentleman from Hawaii, never spoke truer words in his life than when he said it will relieve the taxpayers.

Mr. MATSUNAGA. Mr. Speaker, I thank the gentleman from Iowa for his sage observation.

I yield to the gentleman from California (Mr. SMITH).

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

Mr. Speaker, as stated by the gentleman from Hawaii, House Resolution 697 does provide for an open rule with 1 hour debate for consideration of H.R. 11589. This matter originally came to the Rules Committee under H.R. 10577, a similar type bill, which had seven ships included. We met in the Rules Committee on October 14, and a majority of us did not think it was good legislation or necessary this year. In any event, we deferred it, on October 14. Within 24 hours more lobbying started on behalf of this bill than on any I have seen for some time. One would think this was going to be the salvation of 20 or 30 transport ships. There is not going to be enough money to build many transports or freighters.

I guess that the Merchant Marine and Fisheries Committee felt they could not get all seven, so they took the *United States* out and one other, and reported a clean bill H.R. 11589. It came before the Rules Committee on November 9, was reported and is here today.

Maybe this is the only thing we can do. We have millions of dollars tied up in these ships. I would like to put some of these in mothballs. We may need them some time in the future. We would be selling them for little more than the mortgages. I do not think we should dispose of these ships, but if that is what everybody wants to do, I guess this is what will prevail. If some of the labor bosses would be more reasonable, we

could compete with foreign ships and provide many jobs for Americans.

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

Mr. SMITH of California. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I thank the gentleman for his explanation of what happened on this rule. On this rule apparently an emergency was created by the lobbyists.

Mr. SMITH of California. No; this bill was reported out originally before October 1.

Mr. GROSS. I know, but the Rules Committee gave it a rule on October 14. Previously there was no rule.

Mr. SMITH of California. We agreed to hear the bills that were there by October 1. The letter that went out to the chairmen stated that anything after October 1, if it was an emergency or a procedural matter could be heard. We have had several of them coming out of the Appropriations Committee, and we have to help them out. One has to do with waiving points of order on a supplemental. If we do not do that, we will not adjourn this year. On the foreign aid we might have to have a rule on that waiving points of order because the conferees may not agree on the authorization.

Mr. GROSS. The best way to settle that is just not to have any foreign aid bill at all. Let it sink of its own multi-billion-dollar weight.

Mr. SMITH of California. That is not going to happen, I will say to the gentleman from Iowa.

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

Mr. MATSUNAGA. 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.

#### APPOINTMENT OF CONFEREES ON H.R. 11341, DISTRICT OF COLUMBIA REVENUE ACT OF 1971

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11341) to provide additional revenue for the District of Columbia, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina? The Chair hears none, and appoints the following conferees: Messrs. McMILLAN, ABERNETHY, CABELL, NELSEN, HARSHA, and BROYHILL of Virginia.

#### FOREIGN SALE OF CERTAIN PASSENGER VESSELS

Mr. GARMATZ. 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. 11589) to authorize the foreign sale of certain passenger vessels.

The SPEAKER. The question is on the motion offered by the gentleman from Maryland.

The motion was agreed to.

The SPEAKER. The Chair requests the gentleman from New Jersey, Mr. DANIELS, to temporarily assume the chair.

#### 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. 11589, with Mr. DANIELS of New Jersey (Chairman pro tempore) 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 pro tempore. Under the rule, the gentleman from Maryland (Mr. GARMATZ) will be recognized for 30 minutes and the gentleman from Washington (Mr. PELLY) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. GARMATZ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise to urge passage of H.R. 11589, a bill which would authorize the sale to foreign registry of certain laid-up U.S.-flag passenger vessels; namely, the SS *Brasil*, SS *Argentina*, SS *Constitution*, SS *Santa Paula*, and SS *Santa Rosa*. This same bill would authorize and direct the Secretary of Commerce to purchase the SS *United States* from its present owners at its depreciated book value less the outstanding mortgage and place it in the reserve fleet either for use in time of national emergency or for sale or charter to a prospective operator for service under the American flag.

When we opened our hearings in April of this year, I announced that it was the purpose of the committee to explore every possible way in which these vessels could be returned to service under the American flag. I referred to a commitment I made during the course of the hearings on the Merchant Marine Act of 1970 to the effect that I would do everything possible to revitalize our passenger fleet. Thereafter, we invited all those in labor, management and Government who were directly or indirectly connected with passenger ship operations to tell us how, if at all, one or more of these ships could be returned to service.

The testimony was most discouraging. No one could suggest a feasible way in which the ships could be operated profitably without a tremendous infusion of Government money.

There was agreement on all sides that the advent of the jet airplane had rendered point-to-point service by passenger ships an impossibility. The evidence established that these vessels were not built as cruise ships and could not be expected to compete competitively in the cruise trades.

The record further established that the companies owning these vessels were in a hopeless dilemma. Under the law, they could only sell these vessels to approved American buyers during the statutory life of the vessels, which under the Merchant Marine Act is 25 years. There were no prospective American buyers

with the necessary capital and experience. Some offers had been made but, by and large, there was a complete absence of cash in the hands of the prospective buyer. Generally, he wanted the owning companies to do the financing for him.

We concluded our hearings on May 20 of this year, but notwithstanding the hopeless picture outlined by the various witnesses, we held off the introduction of this type of legislation in order that anyone not yet heard from could come forth with a feasible pro forma operating statement to revive these vessels. No one appeared. Thus, in September of this year, the committee was forced to conclude that the only course open was to permit the foreign sale of these vessels.

Originally, a bill was introduced to cover the seven laid-up passenger vessels; namely, the SS *Brasil*, SS *Argentina*, SS *Constitution*, SS *Santa Paula*, SS *Santa Rosa*, SS *Independence*, and SS *United States*. However, during the legislative course of action on this bill, agreement was reached between the unions and management which would make possible the sale of the SS *Independence* to an interested American buyer who proposed to use this vessel for cruising. This compromise agreement further contemplated that the U.S. Government would purchase the SS *United States* and place it in the reserve fleet.

Accordingly, I introduced, together with 22 cosponsors, the present bill, H.R. 11589, which, as I have indicated, is designed to carry out the compromise agreement reached between the unions and management.

I recognize that the union involved, the National Maritime Union, has now disavowed this agreement. It certainly was my understanding at the time the bill was drawn that they recognized that this was the only feasible solution. I wish to emphasize that the proceeds from the sales of these vessels is required to be put toward construction of new cargo vessels; that there is nothing in this bill to prevent sales to American owners, if anyone is, or becomes, interested; that any delay in the passage of this bill may very well render the vessels obsolete even for sale to foreign interests so that they will have to be scrapped; and that this bill was reported out of my committee by a vote of 23 yeas, with one member voting "present."

There are many aspects to this bill by way of background information to justify its favorable consideration by this body. I have asked several of my colleagues on the committee to briefly outline these points and at this time I yield to Mr. DOWNING, of Virginia.

Mr. DOWNING. Thank you, Mr. Chairman.

This is a sad day but one which we must face up to. I think the situation is pretty well summed up in a telegram which we received this morning from the owners of these vessels. Of course, you have to consider that they are the ones who will be primarily benefited, but I think they put it pretty much in perspective. They said:

H.R. 11589, that would authorize sale of five U.S. passenger ships abroad, is the only viable alternative to a desperate situation.

Contrary to telegram from AFL-CIO, this bill would not result in the loss of jobs for any U.S. workers. The vessels are all laid up and have been for some time. Defeat of H.R. 11589 will not bring back these jobs.

There is no way that these vessels can be operated under the American flag without enormous subsidy payments.

All interested persons had ample opportunity to be heard before House Merchant Marine and Fisheries Committee and no feasible plan to operate the vessels was presented. Defeat of H.R. 11589 will benefit no one as a matter of fact.

Failure of this legislation to pass will prevent the reinvestment of the net proceeds of the sale of these vessels into new cargo ship construction, which would create badly needed employment for our shipyards, seamen and related industries. It is imperative that the owners of these vessels, who are already financially distressed, be given the opportunity to convert these idle and deteriorating assets into productive American flag cargo ship operations, to the benefit of labor, management and the American economy. We urge your support of H.R. 11589.

I think that pretty well sums it up.

Our committee held hearings on this since April. We have wrestled with the problem.

Mr. FISHER. Will the gentleman yield?

Mr. DOWNING. Yes. I yield to the gentleman.

Mr. FISHER. Can the gentleman inform the Committee as to the cost or the approximate cost to the present owners of these ships of maintaining them in their present status?

Mr. DOWNING. I will be delighted to, and I think that is pertinent information.

These vessels cost approximately \$1.5 million a year in layup.

They are gradually draining the owners of any financial capability of operating not only the passenger lines but their cargo operations. That is the reason for this bill being brought up under an emergency status.

Mr. FISHER. So, the total amount of maintaining the five ships is \$1 million a year?

Mr. DOWNING. Well, if you want to take the total amount, I am told that is \$6 million.

Mr. FISHER. I see. That is for all of them?

Mr. DOWNING. Yes.

Mr. FISHER. That is the information I wanted.

Mr. DOWNING. The mortgages on these vessels are due and owed to the United States in the total sum of \$3.6 million, which amount will be paid to the United States when the vessels are sold.

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

Mr. DOWNING. I yield to my colleague from California.

Mr. MAILLIARD. I understand that the layup cost on the ships that remain is a little bit over \$4 million a year total on all the ships.

Mr. DOWNING. The cost of the layup for the seven ships I am told is \$6 million.

Mr. MAILLIARD. Yes, but two of the ships have been taken out of the bill.

Mr. DOWNING. That is correct.

Mr. MAILLIARD. And the remainder is about \$4.5 million?

Mr. DOWNING. Yes, that is correct, if you deduct the money on the *Independence* and the *United States*.



Mr. SMITH of New York. Mr. Chairman, will the gentleman yield?

Mr. DOWNING. Yes, I yield to the gentleman from New York.

Mr. SMITH of New York. Some reference was made to the fact that these ships are deteriorating badly even though they are being maintained at a cost of about \$1 million a year; is that correct?

Mr. DOWNING. The evidence which was presented to the committee was to the effect that these ships are deteriorating. They are becoming more obsolete, and if we keep them too much longer, even the foreign interests will not want to buy them.

Mr. SMITH of New York. How long has it been since these ships have been in operation?

Mr. DOWNING. The ships have been in a layup status anywhere from a year to 2 years or an average of 18 months.

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

Mr. DOWNING. Yes, I yield to the gentleman from Iowa.

Mr. GROSS. What do the taxpayers have invested in these vessels? I guess we could figure it out without too much difficulty. We have the total original cost.

Mr. DOWNING. The total cost to the taxpayers was \$27 million for the *Independence* and the *Constitution*, \$24 million for the *Argentina* and *Brasil*, and \$21 million for the *Santa Rosa* and the *Santa Paula*, and \$40 million for the *United States*.

Mr. GROSS. And, if the gentleman will yield further, what is the anticipated amount that the sale of these vessels will bring?

Mr. DOWNING. The original estimate on the seven vessels was \$34 million, but we are taking the *United States* and the *Independence* out. That leaves a total including the *United States*, of \$25 million.

Mr. GROSS. A total of \$25 million for all of those ships?

Mr. DOWNING. Yes.

Mr. GROSS. That is the ships that would be sold?

Mr. DOWNING. That is right. That money will be reinvested in new ship construction. It has to be under this bill.

Mr. GROSS. How about making an exception to the law and return the \$25 million to the U.S. Treasury that has no money?

Mr. DOWNING. The unpaid mortgage amounts to approximately \$18 million, and this money will be refunded.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, I would like to think that the taxpayers would be able to recapture something out of this sale rather than for it to go into other subsidized construction of cargo vessels. These ships were heavily subsidized by the taxpayers in the first place. Now they are going down the drain and the taxpayers will be called upon to subsidize the construction of additional vessels.

Mr. DOWNING. The taxpayers will recapture only \$3.6 million, but the funds generated will put men to work in shipyards and on board the ships and help our balance of payments. It is the only

solution which the committee knows to handle the problem.

Mr. GROSS. Is this a make-work program?

Mr. DOWNING. I beg the gentleman's pardon.

Mr. GROSS. Is this a make-work program?

Mr. DOWNING. No, it is not a make-work program, although it will create work for U.S. seamen.

Mr. GROSS. I might have said, another welfare program in disguise.

Mr. DOWNING. No, it is not.

Mr. Chairman, I do hope that the House sees fit to pass this legislation.

Mr. Chairman, I rise in strong support of H.R. 11589, and wish to point out to the House that although there are seven U.S.-flag passenger vessels in layup only five are included within the sale-foreign provisions of the bill.

H.R. 11589 generally provides, that with the prior approval of the Secretary of Commerce, the laid up U.S.-flag passenger vessels *SS Brasil*, *SS Argentina*, *SS Santa Paula*, *SS Santa Rosa*, and *SS Constitution* may be sold foreign, subject to certain conditions intended to protect the interests of the United States and insure that the net sale proceeds will be used to construct new U.S.-flag tonnage.

The laid up U.S.-flag passenger vessels *SS Independence* and *SS United States* have been excluded from the sale-foreign provisions of the bill.

The *SS Independence* has been excluded from the bill because there is an option outstanding on behalf of Wall Street Cruises, Inc., to buy this vessel for operation under the American flag in the cruise trade. Your committee has concluded that Wall Street Cruises, Inc., should be given an opportunity to exercise this option and a chance to make a go of it in the cruising trades.

With respect to the *SS United States*, this vessel contains numerous defense features, and was designed to serve as a commercial passenger vessel in peacetime and a troop carrier in wartime. The best interests of the United States can be best protected with respect to this vessel by the Government purchasing it for layup in the National Defense Reserve Fleet. H.R. 11589 would generally require the Secretary of Commerce to purchase the *SS United States* from its owners at its depreciated book value; cancel the outstanding mortgage; and require the net proceeds to be used for new ship construction. The cost to the Government will be approximately \$12 million. This \$12 million is made up of an outstanding mortgage of \$6.8 million which will be canceled, and an allowance of credit for new ship construction of approximately \$5.2 million. This cost will permit the Government to retain this magnificent naval auxiliary so that it will be readily available in times of national emergency.

Mr. Chairman, I strongly urge the House to support H.R. 11589.

Mr. YATES. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present. The Clerk will call the roll.

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

[Roll No. 420]

Abbutt	Diggs	Monagan
Anderson, Tenn.	Dowdy	Moorhead
Andrews, Ala.	Dulski	Nedzi
Baring	Edwards, Ala.	Nelsen
Belcher	Edwards, La.	Pepper
Bergland	Ellberg	Pirnie
Blackburn	Erlenborn	Powell
Blanton	Evins, Tenn.	Price, Ill.
Blatnik	Fulton, Tenn.	Pryor, Ark.
Boggs	Gallagher	Railsback
Bray	Gettys	Randall
Brotzman	Gray	Reid, N.Y.
Broyhill, Va.	Grover	Riegler
Burton	Gubser	Rodino
Byrne, Pa.	Halpern	Satterfield
Carey, N.Y.	Hanna	Scheuer
Celler	Hansen, Wash.	Sikes
Chisholm	Harsha	Sisk
Clay	Hawkins	Smith, Calif.
Cleveland	Hébert	Springer
Conable	Hogan	Whitehurst
Culver	Horton	Wilson, Bob
Davis, S.C.	Howard	Wilson,
Davis, Wis.	Karth	Charles H.
Dent	Landrum	Wolf
Derwinski	McClory	Wright
Dickinson	McFall	
	Mills, Ark.	

Accordingly the Committee rose; and the Speaker pro tempore (Mr. BOLLING) having assumed the chair, Mr. DANIELS of New Jersey, Chairman pro tempore 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. 11589, and finding itself without a quorum, he had directed the roll to be called, when 350 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 pro tempore. The Chair recognizes the gentleman from California (Mr. MAILLIARD).

Mr. MAILLIARD. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I join with the distinguished chairman of the Committee on Merchant Marine and Fisheries (Mr. GARMATZ) in support of H.R. 11589. We have both, I am sure, reached this decision reluctantly and only after long and hard examination of the alternatives to this legislation.

Whether we like it or not, Mr. Chairman, an era has ended. Passenger ship travel epitomized by the great trans-Atlantic liners such as the *Queen's*, the *France*, and our own *SS United States* has been eclipsed by the 707 and more recently the 747 which permit thousands of people to cross the Atlantic daily in a matter of hours.

The Merchant Marine Act of 1936 requires that every vessel built with the aid of construction-differential subsidy must remain documented under the laws of the United States for a period of 25 years. In general, this is a salutary requirement insuring that subsidized vessels are not transferred foreign while they are still capable of providing efficient and economical transportation in the foreign commerce of the United States under the American flag. It is this provision in the law that we are concerned with today. Of the five laidup ships which could be sold foreign pursuant to this legislation, the *Constitution* will reach the 25-year mark in 1976, the

*Brasil*, *Argentina*, *Santa Paula*, and *Santa Rosa* will reach the 25-year limit in 1983. With the exception of the *Constitution* which is nearing the end of its economic life, these ships may be categorized as middle aged.

These ships have been withdrawn from active service for one very fundamental reason. They lose money. For example, since 1958 the *Brasil* and the *Argentina* have lost almost \$20 million after payment of approximately \$65 million in operating subsidies. The *Constitution* and its sister ship, the *Independence*, lost over \$2½ million after a subsidy of \$120 million up to their last year of operation. During their last year of active service, they incurred a loss of \$6 million after a subsidy of \$8 million. Although the *Santa Rosa* and *Santa Paula* showed an overall profit of \$3.2 million after subsidy of \$54 million until their layup, this profit picture was deteriorating rapidly. During their last year of operation they incurred a net loss of \$2 million. These are losses which no company can afford to sustain indefinitely. The simple answer, of course, would be for the Federal Government to pick up a greater share of the cost by increasing the amount of operating subsidy. The Maritime Administration, however, estimates that it would cost over \$80 million annually in subsidy to place our seven idle passenger ships back in operation. Can we really justify such an outlay in order to maintain a handful of passenger ships plying between Miami and the Caribbean under the American flag? I think not. While a great many vacationers embarking upon a 2-week cruise of the Caribbean might prefer to sail on an American-flag ship, it is equally true that a very large percentage of those who are inclined to travel by ship prefer the atmosphere—the national flavor—of foreign-flag ships. To preserve the American tourists' option of traveling on U.S.-flag ships at a cost of \$80 million to the taxpayers seems to me to be an unreasonable request of an already heavily overtaxed people.

The Committee on Merchant Marine and Fisheries heard testimony from both the owners and unions on the cost of putting these ships back into service. Their estimates were so far apart as to be irreconcilable. From the management standpoint, it appears that the ships could not operate profitably even with the Federal Government paying the entire labor cost. A union spokesman on the other hand, told us that the ships could indeed be placed back into service and operated profitably with less subsidy than was paid prior to their layup. Between these two extremes, we have the estimate of the Maritime Administrator, and under the circumstances, I feel we have no choice but to accept his estimate.

The high cost of operating passenger ships is not, of course, unique to the United States. As the report of your committee indicates, point-to-point passenger ship operation in an essentially transportation capacity has declined drastically during the past decade. All of the major foreign passenger ship operators have abandoned the transportation aspect of passenger ship operations. The Italian line operating the largest single

fleet of passenger ships withdrew from the North Atlantic last winter. Government subsidy for the Italian line passenger ships is reported to be in the neighborhood of \$113 million a year with a drastic increase required to keep these ships in service. The Holland-America Line has taken the extreme measure of replacing the Dutch crews on its ships with Indonesians, who are reportedly paid \$60 a month. Paying wages of this sort, the Holland-America Line will be able to keep its ships operating in the cruise trades of Europe and the United States. These ships have, for all practical purposes, become floating hotels intended to provide a convenient means of visiting a number of islands or other resort-oriented areas without the inconveniences associated with airline travel such as packing and unpacking at each point on the trip. The personnel employed on these ships are largely hotel-type employees. The number of seamen—those concerned with the sailing of the vessel—are relatively few.

What then are our alternatives, Mr. Chairman? First of all, we could retain the status quo. There is no indication that the owners of these ships have either the financial means or the interest in placing these ships back into service without massive subsidy. The ships, therefore, will continue to lie at anchor or tied to a pier somewhere until they are sold for scrap or reach their 25-year statutory life. In the meantime, the owners will be confronted with annual layup costs of almost \$5 million and a total cost of almost \$49 million. It can be safely assumed, I believe, that by the time these ships have completed their 25-year life span, their only value will be for scrap. A continuance of the status quo, therefore, seems to be an unacceptable choice serving no one.

The second alternative I have already touched upon—that is to place these ships back into service under the American flag. Assuming that the Maritime Administrators' estimate of cost is accurate, we must accept responsibility for a substantial increase in appropriations for passenger vessel operating subsidy. After all the flag waving and sentimentality has been laid aside, I doubt that many of us are willing to undertake to justify to the American people the expenditure of at least \$80 million to provide floating hotel service under the American flag. In this regard also, the bill before us exempts the *SS Independence* which is the subject of a contract of sale to an American cruise promoter. I am hopeful that Wall Street Cruises will be able to operate the *Independence* successfully. It appears that Wall Street Cruises has the necessary expertise in this field to undertake the operation of this ship, and for this reason your committee determined to remove the *Independence* from the coverage of this legislation. Others have come forward from time to time with proposals for the operation of one or more of the ships encompassed within this legislation, but in each instance it has developed that the promoter has little or no capital to invest, nothing to risk and expects either the existing owner of the ship or the Federal Government to bear all the risk involved. Your com-

mittee, therefore, has concluded, and I believe correctly, that there is no reasonable likelihood that any of these five ships can be returned to service under the U.S. flag on a basis which is financially acceptable to the owners, the Maritime Administration, and the American taxpayer.

Another alternative, Mr. Chairman, would be to place all of these ships in the national defense reserve fleet for use in time of emergency as troop transports. While it is a fact that no other means of transportation can move as many men at one time, the concept of large troopships also has been eclipsed by the jet airplane and other technological changes. Of the ships now in layup status, only the *SS United States* has the requisite speed which would enable a troopship to operate independently in this era of atomic submarines. Even its high speed may well be matched in the near future. Certainly we could not put thousands of troops on a ship such as the *Constitution* with a top speed of less than 25 knots when submarines now in service are capable of underwater speeds far in excess of that. During periods of less than total mobilization when cost factors may still be relevant, the transportation of military personnel by air has proven to be infinitely cheaper. For example, the Department of Defense estimates the cost of transportation by air from the west coast to the Far East at \$200, including pay for the period of travel. The corresponding figure for sea transportation is over \$1,100. Because of its great speed and capacity, your committee has determined that the cost of placing the *United States* in the reserve fleet is justified. No similar argument can be made, however, for the much slower vessels which this legislation authorizes to be sold.

The final alternative, Mr. Chairman, is the one which we have chosen to permit the sale of these ships to foreign owners before they complete their statutory 25-year life. It is true that there is a large and growing cruise business from the United States which has attracted many foreign-flag ships—most notably, of course, in the trade between the east coast and the Caribbean. New ships are being built for this service—relatively small one-class vessels designed as floating hotels for tropical climates. There is a market for older ships as well, but this is basically a temporary market which will exist only until sufficient new construction designed for this floating hotel business has entered service. As these new economical ships become available, the market for older transportation-oriented passenger ships will dry up. If we do not authorize the foreign sale of our laid-up passenger ships at this time, whatever market there may be for them will disappear, and they will remain in layup until they are scrapped. There is a contract outstanding on the *SS Argentina* and *Brasil* which will lapse at the end of 1971. Whether other buyers for these ships can be found after that is highly questionable. Accordingly, Mr. Chairman, I sincerely feel that we must act now. I fully realize that this is a difficult piece of legislation for many of



my colleagues to accept. I share with them a sense of loss over the passing of these ships and with that passing, the virtual close of one of the most interesting chapters in our maritime history.

In conclusion, Mr. Chairman, the Committee on Merchant Marine and Fisheries has carefully analyzed all of the alternatives which I have discussed. The overwhelming majority of the members of the committee have concluded, as I have, that this legislation must be enacted in order to relieve the owners of the continued burden of maintaining these ships in layup. Any moneys derived from their sale must be invested in new American-flag ships which will provide employment for American seamen and will contribute in a positive fashion to our balance-of-payments picture. Mortgages on these ships totaling \$18.5 million will be paid off. This is a step that none of us relish, but it is the only responsible course of action we can take. I, therefore, urge all of my colleagues to join with the committee in support of this bill.

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

Mr. MAILLIARD. I yield to the distinguished chairman of the committee.

Mr. GARMATZ. Mr. Chairman, the gentleman from California (Mr. MAILLIARD) has spoken about the various other countries having the same problem, and in that connection I would like to read from an article published in the NMU Pilot, which quotes a statement made by Victor Matthews:

QUEEN ELIZABETH II MAY BECOME  
A FLOATING HOTEL

The future of the SS Queen Elizabeth 2, flagship of the Cunard fleet, may be that of a "floating hotel" instead of in the transatlantic passenger service, according to Victor Matthews, managing director of Trafalgar House Investments, owners of the Cunard ships. He said he felt there was a future in using the vessel as a floating hotel. Matthews added, "We are committed to this ship. It is the finest in the world, the last of its kind, but I would not order another one." He claimed the QE-2 would be kept on its present transatlantic program for the next 12 months. When asked about the new Cunard liner, Cunard Adventurer, due to enter service shortly, Matthews admitted that he was stuck with it but added that he thought it would be successful in the cruise trade in the Western Hemisphere.

Mr. MAILLIARD. I thank the gentleman. I think that gives a fair picture of what the situation is. The people just are not traveling on ships for point-to-point transportation, but when they do travel on ships, they are traveling for recreational purposes, and not for point-to-point transportation.

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

Mr. MAILLIARD. I yield to the gentleman from Florida.

Mr. HALEY. Did I understand the gentleman to say that at the expiration of 25 years these ships would have been completely subsidized, and could be sold without any action on the part of the Congress?

Mr. MAILLIARD. That is correct. At the end of the statutory time that we have set by law of 25 years then there is

no further prohibition against their being sold.

Mr. HALEY. How old are these ships at the present time?

Mr. MAILLIARD. I do not have the exact figures with me, but they run from about 20 years old down to 13 years.

Mr. GARMATZ. Mr. Chairman, if the gentleman will yield, I have those figures:

The *Independence* is 20 years old, the *Constitution* is 20 years old, the *Argentina* is 13 years old, the *Brasil* 13 years old, the *Santa Paula* 13 years old, the *United States* 19, and the *Santa Rosa* 13 years old.

Mr. HALEY. If the gentleman will yield further: So in any event these ships could be sold in the next 8 or 10 years?

Mr. MAILLIARD. The answer is "Yes," but I would say to the gentleman that at that point my belief is that there will be no market for them.

Mr. HALEY. The gentleman is right in his view, since we have a market for them now, they should be sold.

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

Mr. MAILLIARD. I yield to the gentleman from Ohio.

Mr. MOSHER. Mr. Chairman, I want to say that I agree with the gentleman from California (Mr. MAILLIARD) that this is a terribly unhappy vote that we have to cast today, but we also must agree that it is a far-reaching and even an urgent vote.

Mr. Chairman, I think all of us are saddened by the vote we are being asked to cast here today. None of us are happy about this legislation.

Nevertheless, there are a number of cogent reasons for voting in favor of H.R. 11589, making possible the sale of five passenger vessels to foreign operators.

At this time, I would like to comment on only one factor which I consider to be a principal reason for the decline of our once magnificent U.S.-flag passenger fleet, which makes necessary our vote here today.

It is a fact, Mr. Chairman, that the jet airplane has had a devastating impact on the point-to-point operation of passenger ships, particularly in transatlantic service during the past decade. Lower fares generally, packaged tours and liberal group deals, frequency of point-to-point service to the major cities of the world, and the speed of travel offered by the airlines have opened up a rapidly expanding market that did not exist 20 years ago.

Speed of travel is more essential than ever before in order to maintain close communication between home and branch offices and in the conduct of negotiations between American and foreign businessmen. This factor has become increasingly important with the rapid growth of American investments throughout the world. These businessmen are the people who formerly made up a large segment of those traveling in first class on transatlantic liners.

The higher capacity and speed of jet aircraft have opened a vast market, particularly to Europe, for travel by middle income groups whose vacations are of relatively short duration. In 1962 there

were some 3.2 million passengers traveling by sea and air between the United States and Europe. About 22 percent, or 722,000 went by sea, of which American-flag ships carried 170,000, or 24 percent of the total. By 1969, total passengers traveling had increased dramatically to 7.4 million, but only 341,000 traveled by sea or less than 5 percent of the total, and American-flag ships carried only 47,000. Like every other mode of transportation, the airplane draws its users not only from other competing modes, but from a market which it alone develops, because of its unique advantages.

The impact of the jet airplane was the principal factor in the elimination of American-flag passenger ships in the transatlantic trades, not only to northern Europe, but to the Mediterranean as well. The impact upon travel to South America was equally great. We must recognize that there is almost no probability that any of the ships now in layup will return to serving these trades. Moreover, the impact of jet aircraft has not been limited to the U.S.-flag passenger fleet alone. Indeed, drastic reductions in point-to-point sailings between United States and European ports are also noted for British, Netherlands, French, Norwegian, Swedish, Italian, and Greek passenger ships.

When one considers the impact of the jet airplane on point-to-point passenger service and the fact that these vessels are not readily employed in the cruise trades without substantial alteration to their accommodations and public areas, the conclusion is inescapable that their days of active service under the American flag are over.

For these reasons, I urge my colleagues to support H.R. 11589.

Mr. MURPHY of New York. Mr. Chairman, will the gentleman yield?

Mr. MAILLIARD. I yield to the gentleman from New York.

Mr. MURPHY of New York. Mr. Chairman, I want to congratulate the gentleman in the well for his presentation, and to point out that the real question—and the gentleman makes the issue so clear—that the real issue here is that of the long-range passenger travel movement, and that the statistics we had for long-range ship passenger transportation 20 years ago or 16 years ago showed that ocean travel by passengers was feasible, and that the long-range rail travel statistics for people traveling by rail was feasible, but recent years have shown a different story.

If this House and this Congress can agonize over this bill, then just wait until Amtrak comes up for consideration on funding for the long-range rail transportation, because we are all aware that the passenger mileage transported by rail is disappearing from the rails. It is also disappearing from the ocean liners and from the buslines, and passengers are going solely, for long-range transportation, by air.

As I say, 20 years ago this was a different story and a different parameter.

Here today we are dealing with the question of trying to transfer funds into the American merchant fleet from a dis-

appearing segment of that fleet, which is the passenger liners, and I congratulate the gentleman and the other members of the committee on making this possible.

Mr. MAILLIARD. Mr. Chairman, I thank the gentleman from New York for his comments, and I concur with what he says.

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

Mr. MAILLIARD. I yield the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, could the gentleman give us any estimate as to the scrap value of these vessels that are to be sold?

Mr. MAILLIARD. The scrap value of the seven ships in layup by the end of their 25-year statutory life has been estimated to be \$7,500,000 by the Maritime Administration. There would be a substantial loss if these ships were sold for scrap since the mortgages total over \$18 million.

Mr. GROSS. It will be below the mortgages and approximately what is the total?

Mr. MAILLIARD. About \$18½ million, I believe, some of which is directly loaned by the Treasury of the United States, but most of which is guaranteed by the United States.

There are commercial mortgages under title XI and if a company should go under, the United States would have to pick up the mortgage.

Mr. GROSS. Further, apropos the remarks of the gentleman from New York, are not some of the airlines in trouble financially?

Mr. MAILLIARD. I understand that they are, but they still have all the passenger business they can handle.

Mr. GROSS. But they are in trouble—what form of transportation is not in trouble? Does the gentleman know of any form of transportation that is not in trouble?

Mr. MAILLIARD. I know of some segments that are not in trouble, but overall, transportation has certainly been pricing itself out of the market—but nothing to the extent that these ships that are in total layup and not in use at all.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. MAILLIARD. I yield to the gentleman.

Mr. ANDERSON of Illinois. Mr. Chairman, I want to join in commending the gentleman now in the well for the very cogent, I think, and well reasoned explanation for that he has made.

This has been a matter that I know has troubled many Members of the House, that there would come a day when we have to consent to the sale of these ships.

It seems to me, the points that the gentleman has made and documented here in the well today have amply made the case for the committee bill.

Mr. Chairman, I rise in support of the legislation.

Mr. Chairman, under section 503 of the 1936 Merchant Marine Act, vessels built with the aid of construction-differential subsidy must remain documented under the laws of the United States for a

period of 25 years, and cannot be sold to foreign registry within that period without specific statutory authority. This bill would provide that authority for the sale of five such U.S.-flag passenger vessels: SS *Brasil*, SS *Argentina*, SS *Constitution*, SS *Santa Paula*, and SS *Santa Rosa*. The authority provided by the bill would be subject to certain conditions intended to protect the interests of the United States to insure that the net sale proceeds would be used to construct new U.S.-flag tonnage. It would further provide for the purchase of the laid up U.S.-flag passenger vessel SS *United States* by the Secretary of Commerce for layup in the national defense reserve fleet. Purchase of that vessel will require a net outlay of \$5.2 million, and thereafter the initial cost will be \$600,000 to prepare the ship for layup status, and annual maintenance will run approximately \$50,000.

A previous bill reported by the Committee on Merchant Marine and Fisheries, H.R. 10577, would have made seven ships available for sale to foreign registry, the five above and the SS *Independence* and the SS *United States*. But as a result of a meeting on October 28 between the union and the owners in the office of the committee chairman, an agreement was reached to exclude these two ships from the provisions. With respect to the *Independence*, there is an outstanding option with Wall Street Cruises to buy this vessel. And with respect to the *United States*, the bill provides that it be laid up in the national defense reserve fleet because it contains numerous defense features and could be used as a troop carrier in wartime. The new bill would require that the Secretary of Commerce purchase this vessel from its owners at depreciated book value.

After extensive hearings, the committee concluded that the laidup U.S.-flag-passenger vessels cannot compete with jet aircraft in point-to-point transportation, and cannot compete with foreign-flag cruise vessels because of their configuration. They, therefore, represent a complete economic waste and a serious financial drain on the owning companies while in layup—the annual layup costs for all seven vessels is estimated at \$6 million.

The cost to the Government of this legislation is approximately \$12 million which includes \$6.8 million for cancellation of outstanding mortgage, and \$5.2 million in credit to the owners toward construction of new vessels (cargo), plus the \$600,000 for initial layup costs and \$50,000 in annual maintenance.

The Assistant Secretary of Commerce for Maritime Affairs testified in favor of this bill, saying he knew of no way the laidup passenger vessels could be profitably operated; it would take an \$80 million subsidy to reactivate them, and this could not be justified when considered with other requirements of the U.S.-flag merchant marine. In a letter to the committee, the Department of Defense—Navy—says that while the ships might play a useful role during a national emergency, their retention on this ground alone cannot be justified because of the high cost. DOD does think it should be able to give prior approval to the sale of

any of these ships, but the committee does not agree and makes no such provision in the bill.

Despite the fact that the committee report indicates that H.R. 11589 is a result of an agreement resulting from a meeting between owners and unions, we have received a letter from Joseph Curran, president of the National Maritime Union, in opposition to the bill—see enclosed. Mr. Curran says these ships represent a vital asset to American national security and economic strength; their sale would cause the unemployment of thousands of workers in the maritime industry; they might end up in the hands of the Russians, thus increasing their troop lift capacity in the Middle East; there are American corporations and municipal governments interested in finding owners for these ships.

We have also received a letter from Frank Fitzsimmons, president of the Teamsters, expressing support for the bill. He claims that his members who are employed in yards where ships are under construction would be benefited by this legislation—since funds from the sales of passenger vessels would be used in the construction of new cargo vessels.

I am convinced that this approach of the committee bill is the only viable alternative available. No great loss of jobs will result since these vessels have been laid up for 2 years and those who would lose jobs—cooks, stewards, et cetera—have already lost them.

Therefore, I intend to vote for this bill.

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

Mr. MAILLIARD. I yield to the gentleman.

Mr. GARMATZ. Mr. Chairman, with reference to the question about jet aircraft—they carry today 98 percent of all transatlantic passengers—and ships cannot survive on the remaining 2 percent.

The problem is not solely American. Ten years ago, Britain's Cunard Line had 10 ships making 145 sailings transatlantic. Today it has only one making 13 sailings and that ship, the *Queen Elizabeth II*, the largest in the world, may be converted to a floating hotel.

Mr. Chairman, I yield 5 minutes to the gentlewoman from Missouri (Mrs. SULLIVAN).

Mrs. SULLIVAN. Mr. Chairman, more than a half million American citizens take cruises each year out of our east coast ports, but not a one of them travels on an American-flag ship. There are, at present, no such ships in operation. They are laid up because the American shiplines and the Maritime Administration have not had the ingenuity to figure out a profitable and practical method for them to operate, even with differential subsidies.

Consequently, the hundreds of thousands of Americans who flock to east coast ports to board cruise ships to the Caribbean or elsewhere are contributing substantially to our balance-of-payments deficit and to the well-being of the foreign owners, and the families of foreign seamen of Dutch, Norwegian, Italian, British, German, French, Greek, and assorted other maritime interests.

In opposing the bill H.R. 11589, to



allow five of our excellent American passenger ships to be sold to foreign interests, I am aware of the fact that the committee, on which I am the senior ranking member, voted overwhelmingly to approve the legislation; that the owners of the five ships want to get rid of them as soon as possible; and that every shipyard in the country has the hope that out of this legislation it may possibly get some new cargo ship construction business.

But what about the American taxpayer, who has invested \$60 million in the construction of these five ships within the past 20 years? That investment will be wiped out.

What about the thousands of American seamen who could be employed on these ships? They will lose out entirely. What about the further damage to our balance-of-payments situation? What about the idea of keeping the American flag flying on American-built passenger vessels?

For mark this, Mr. Chairman, those five ships—if sold foreign—will be operated out of American ports, carrying American cruise passengers, but with foreign crews and subject to foreign control. We will be paying all of the bills and the foreign maritime interests will be enjoying all of the tremendous economic benefits. Those ships could not possibly be duplicated at the prices they would bring in today's used ship market.

The committee report goes into extensive detail on why it is unprofitable to operate passenger ships under the American Flag. But has the effort really been made? Or, are the ship lines in the same situation today as the American railroads were a few years ago in making no real effort to keep passenger service in operation? True, passenger service from point to point is dying. But the cruise business is booming.

The Congress stepped in to require the continuation of passenger service on America's railroads. We do not have to pass a Steamship bill for the ship lines—all we have to do is defeat this bill. By defeating H.R. 11589 we will make clear to the Maritime Administration that Congress intends for it to bestir itself in that agency and work out with American investors and cruise ship operators a viable plan for restoring the taxpayer-subsidized *SS Brasil*, and *SS Argentina*, and *SS Constitution*, and *SS Santa Rosa* and *SS Santa Paula* to service. The two ships earlier contained in this legislation but left out of the revised bill, the *SS United States* and *SS Independence*, should also be put back into service to carry passengers.

Mr. Chairman, when the \$60 million in subsidies were paid out by our taxpayers to construct the five ships involved in H.R. 11589, the money was paid on condition the ships remain under the American flag for 25 years. One of these ships, the *Constitution*—and it is still a fine ship—is 20 years old. The other four are only 13 years old. Under the subsidy contract, the *Constitution* owes the American people 5 more years of service under the American flag; the other four each owe 12 more years of service. But the owners want to abrogate their con-

struction subsidy contracts with the American people far in advance of the end of the contractual period, apply the book losses against their taxes, and use an estimated cash flow of \$18 million as downpayments toward the construction of subsidized new cargo vessels we do not need at the present time. The proposed new cargo vessels would not add to our maritime capacity, but would instead merely replace some of the still-serviceable older ships either now in service or available for service.

The ship construction program of this administration has been such an utter failure that the only way the Administration can see for getting a few new ships built is to destroy the American flag passenger trade entirely, through the sale abroad of these five fine passenger ships.

Mr. Chairman, I have not been given the time necessary to cover all of the details about this legislation, and why it should be opposed, but I call the attention of the Members to the extensive material I placed in the CONGRESSIONAL RECORD for Friday, beginning at page 41025. I hope that between now and the time we vote, the Members who have not already done so will look at that material. I have copies of it available at the committee desk.

I particularly call attention to the information provided me by a former officer of the *SS United States*, Mr. Richard D. O'Leary, now the assistant general manager of the Norfolk Port and Industrial Authority, who has been instrumental in making Norfolk a major cruise ship port, and who knows a great deal about that issue.

He wrote me:

People around the world, especially on the U.S. East Coast, are traveling by ship (cruising) in rapidly increasing numbers. It is a booming business with tremendous future potential. More foreign research and marketing funds are being spent to motivate the American consumer toward cruising than have ever before been spent in the passenger ship industry.

He subsequently added:

It would seem that the elements are right for an imaginative American entrepreneur to investigate the potential for operating American passenger ships under these conditions. Certainly it would seem that the U.S. government would exert tremendous effort to find some way to usefully employ these resources that have been created with large amounts of taxpayers' money.

Mr. Chairman, I urge the Members to read Mr. O'Leary's thoughtful and imaginative letter on this subject. It is in the RECORD of Friday at page 41026, as part of my remarks, and also in the reprints I have available here.

There are too many questions about this proposed deal for the foreign sale of our valuable passenger ships that have not been answered. I asked some of those questions in the hearings. There are many others. They have not been answered.

Why, for instance, did Grace Line, which had been operating the *Santa Rosa* and *Santa Paula* profitably, sell them to another operator in 1969? Was it to take advantage of a \$32 million tax writeoff? And now what kind of tax

writeoff does the subsequent buyer hope to achieve by passage of this bill?

Why has the Maritime Administration refused to make any effort to find American buyers for these ships? Is it in order to try to save on operating subsidies?

Why has Moore-McCormack refused even to respond to a \$15 million offer from American investors to buy the *Brasil* and *Argentina*? Is it because they are waiting for passage of this bill to open up the bidding to foreign interests?

There is no pleasure for me in standing in opposition to nearly all of the members of my committee on this measure, but I feel I must do so. I hate to see the Congress knuckle under to any industry seeking special advantage at the expense of the American taxpayer and of the American public, and of American seamen.

Knowing that American-flag ships are the safest in the world, operated under stricter requirements than those of any other nation, and that American seamen are paid wages commensurate with American standards, I do not see how Members of Congress would want to say to their constituents: "If you want to enjoy passage on a cruise ship, pick a foreign-flag ship because we have just gotten rid of our entire American-flag passenger fleet so that the ship lines which owned them could qualify for windfall tax benefits."

For that is exactly what passage of this bill would be saying to the people of the United States—Americans who are discovering in increasing numbers every year the joys and relaxation of an ocean cruise, the best vacation imaginable.

We would be saying "Go Dutch" or "Go British" or "Go Italian" or "Go Norwegian" or "Go German" or "Go French" or "Go Greek" at the same time we are so desperately trying to overcome our balance-of-payments problem that we are, through the tax surcharge, jeopardizing the whole concept of reciprocal trade. The American cruise passenger should be urged to "Go American," and should have an opportunity to do so, not only for what it means to our own economy but also what it means to the passenger's own peace of mind.

If our ships cannot compete with the foreign cruise operators, it is only because the Maritime Administration has never bestirred itself to figure out ways it can be done. Is American business ingenuity dead? I would hate to think so, but this bill is an obituary for the American flag on the passenger routes of the world. Passage of this bill would bury at sea the best passenger fleet on the high seas, probably forever. Under foreign-flag operation, these ships would not be the same ships they have been under American operation, and we would never build any more once this decision is made to let them slip away from us.

Mr. SARBANES. Mr. Chairman, will the gentlewoman yield?

Mrs. SULLIVAN. I will be happy to yield to the gentleman from Maryland.

Mr. SARBANES. Mr. Chairman, I join the distinguished gentlelady from Missouri in her thoughtful and vigorous opposition to H.R. 11589 and commend her

for her efforts against this hasty and unwise legislation.

Mr. Chairman, the Members of this House are being asked to do more today than simply decide the fate of seven American passenger liners. We are being asked to end a tradition of seagoing passenger service on our east and gulf coasts that stretches back to the beginning of the Republic. America's passenger ships and the men and women who serve them have established an outstanding tradition of contribution to the Nation's well-being in times of both peace and war. It is this tradition as well as these ships which will be struck from our national life should this bill pass. Surely, Mr. Chairman, such a fateful decision should not be made without a more careful consideration than has occurred of the impact H.R. 11589 would have on our Nation's international and defense positions, seagoing labor and American steamship passengers.

Perhaps the most obvious consequence of this proposal would be its lasting impact on the potential employment opportunities for American seamen. In the recent past, 12 U.S. passenger ships have been removed from service. Five were converted to freighter operations, and the remaining seven are the ships affected by H.R. 11589—five of which this bill would permit to be sold to foreign interests thereby foreclosing altogether any hope for future restoration of jobs for American seagoing labor. In addition, disposing of these five ships to foreign interests means not only the loss of potential jobs for Americans aboard the ships but also carries with it a serious impact upon connected shoreside jobs.

In judging the sale proposal it is important to weigh the economic benefit of having these ships functioning under the American flag, and hence the necessity of developing means whereby this could be accomplished. If operating, these ships could generate millions in shipboard wages and millions more to workers and businesses in supporting industries. Furthermore, these ships could make significant contribution to remedying our international balance-of-payments deficit—a deficit which in the third quarter of this year was the largest in our history.

The safety of the American steamship passenger is also involved in this matter. Today there is not one passenger ship operating out of a U.S. eastern port which can meet the standards of vessel safety required by U.S. law. Since foreign vessels must only comply with less stringent international standards, American passengers are being exposed to risks which are prohibited under our law. In fact the number of Americans exposed to such safety hazards is increasing at a rapid pace since the steamship cruise business is booming. Steamship lines operating out of American ports increased their cruise operations in the 1969-70 travel season by 50 percent over the level prevailing two seasons earlier, and all forecasts are for a continued increase in patronage.

Let me also touch briefly on two intangibles that will be greatly affected should this sale be permitted to the per-

manent detriment of America's passenger steamship operations. America's defense posture and its international prestige are very much at stake. The Soviet Union has built four new passenger ships in the past 5 years. One of these, the *Alexandr Pushkin*, offers regular service between North America and Europe. One or more of these liners is usually present whenever an important international event takes place in a port city.

The defense value of the passenger ships is perhaps hardest to measure, but in the long run of the greatest importance. The sale proposal calls for a contractual arrangement for foreign operators to return the ships in the event of American need. There is serious doubt however that any such arrangement could be enforced. Our need for American-operated ships in wartime was readily demonstrated during the Vietnam sealift. Time and again foreign crews operating foreign flag ships refused to bring those ships in when the going got rough. In considering our security position it must be recognized that during every major war our country has been forced to devote precious time to building ships and to rebuilding its seagoing labor force.

Mr. Chairman, any proposal which so fundamentally affects the strength of our Nation's defense, the safety of American citizens and the well-being of American labor, calls for the most painstaking and deliberate consideration. It is my belief that the administration has not explored in a thorough and meaningful way the alternatives to this sale. Until such a fundamental inquiry is made and until all conceivable alternatives have been considered, I do not believe we should in good conscience take the irrevocable step of permitting the sale of these passenger vessels to foreign owners whose interests will of necessity differ with those of this Nation and its people.

(Mrs. ABZUG asked and was given permission to revise and extend her remarks at this point in the Record.)

Mrs. ABZUG. Mr. Chairman, I rise in strong opposition to this bill. The five passenger vessels whose fate is before us today were built with substantial Federal assistance, and existing law requires that they not be sold to foreign owners within 25 years of their completion.

The present owners of these ships claim that they cannot make any money operating these ships under American registry—that is, with American seamen and seawomen, with American wages, hours, and working conditions, and with American safety standards. In support of this claim, they point to the fact that all five ships are presently laid up.

It may well be that this claim is a valid one. It may also be, however, that these owners would like to sell the ships off, so as to have a quick, sure profit, despite the fact that the ships might be profitable to operate. The latter possibility is especially likely as an explanation in light of the fact that the maritime unions have offered to do their part in helping to cut the costs of operating these fine ships. Among other things, they have

offered to trim manning scales to the lowest reasonable level, to reduce overtime and similar costs to a minimum, and to cooperate in the development of new, more efficient methods of operation.

These five ships, when in operation, provide about 1,500 shipboard jobs for American seamen and seawomen, and 10,000 or more shoreside jobs such as longshoremen, shipyard workers, and food processors. The shipboard payroll for these five ships amounts to around \$15 million annually, and the shoreside income which they generate comes to more than \$20 million annually.

The laying up of these ships has brought the working men and women of the New York waterfront to their knees. They are most willing and able to work and work hard, but there will be no work so long as the owners of these ships idle them in hopes of convincing Congress to permit the proposed sale.

I find it upsetting, in this time when we are awakening to the dangers of allowing American capital and technology to flow abroad too easily, to see us considering special interest legislation which would do in one case precisely what we are seeking to stop across the board. This would be bad enough if it were private capital going abroad, but we are talking here about public money—the taxpayers' money. These ships were built with substantial Federal financial assistance, and it would be unthinkable to just let them go like this.

This legislation is unsound and damaging to the best interests of America and American working people, and I urge its defeat.

Mr. YOUNG of Texas. Mr. Chairman, will the gentlewoman yield?

Mrs. SULLIVAN. I am delighted to yield to the distinguished gentleman from Texas.

Mr. YOUNG of Texas. Mr. Chairman, I commend the gentlewoman for the gallant fight she has made against this legislation. I join her in that opposition. I opposed the rule, and I intend to vote against this bill on the floor.

As the gentlewoman has pointed out, there has been considerable argument made here about not putting these ships in the regular transatlantic passenger run. I know of nobody who has suggested that. What is being suggested here is that no real effort has been made to utilize the value of these vessels in this very profitable tourist cruise business.

The U.S. Government, according to the testimony before the Rules Committee, has \$118.3 million of capital investment in these ships, not to mention the untold millions that we have in these ships in the operating subsidies.

I commend the gentlewoman from Missouri, and I associate myself with her remarks.

Mrs. SULLIVAN. Mr. Chairman, I thank the gentleman.

Mr. GARMATZ. Mr. Chairman, I yield myself 1 minute.

I would like to ask the gentlewoman from Missouri about the seven passenger ships. Is it true the gentlewoman went on a cruise on the *Argentina* last year with 95 passengers and a crew of 420?

Mrs. SULLIVAN. In 1969 I was on a



cruise on the *Argentina*, yes, and with the gentleman from Maryland.

Mr. GARMATZ. Let us get it straight. Mrs. Garmatz was also along. With Mrs. Sullivan was her sister.

Mrs. SULLIVAN. Let us not tell all our secrets.

Mr. GARMATZ. There were 95 passengers and 420 crew. How can they make money that way?

Mrs. SULLIVAN. Does the gentleman want me to answer that?

Mr. TIERNAN. Mr. Chairman, if the gentleman will yield, is it not true that during the year 1969 the *Santa Rosa* and the *Santa Paula* carried over 10,000 passengers, and that the subsidy the U.S. Government paid per passenger was \$458, and yet that company lost over \$100 per passenger that it carried during the year 1969?

Mr. GARMATZ. That was the testimony reported to the committee.

Mr. TIERNAN. It is my understanding that presently these ships are not in operation, is that correct?

Mr. GARMATZ. That is correct.

Mr. TIERNAN. And if this bill does not go through, the American public is not going to have an opportunity to sail on these ships. These ships are not going to be put into service so that the Americans can sail on the ships, as our colleague would like.

Mr. GARMATZ. There is no way in the world that can be done.

Mr. TIERNAN. And the Administrator of the Maritime Commission, Andrew Gibson, testified that all of these companies presented plans, but when it came to actually undertaking the expense of operation and startup costs, there was no feasible plan presented?

Mr. GARMATZ. That is correct.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. GARMATZ. Mr. Chairman, I yield such time as he may consume to the gentleman from North Carolina (Mr. LENNON), a member of the committee.

Mr. LENNON. Mr. Chairman, I was certainly greatly interested in the remarks of the gentleman from Missouri, who called our attention to the fact that there would be annually approximately half a million cruise passengers from the eastern ports principally for the Caribbean area.

I believe we can all agree, at this point in time, the preponderant majority of the American citizens want quality merchandise when they purchase and they want quality service wherever they go. But one other thing the preponderant majority of the American people want is that they want to get that quality service or that quality merchandise at the least possible cost to them and their families.

I am reminded so much of the debate which took place on this floor last year, when we were considering the legislation pertaining to quotas on imported shoes and textiles, when the gentleman from Pennsylvania (Mr. DENT) called our attention to the fact that in 1969 we imported over 221 million pairs of shoes, more than one pair for every person in the United States, from Spain and Italy, and particularly Italy.

Let me tell what is happening. We have priced ourselves out of the world market not only in just this area but also in many others. Italy was the prime exporter of shoes into this country in 1969 and 1970, but in the first 8 months of this year—and these are the statistics—Spain exported into this country a 40-percent increase in shoes for the American people over what were imported in the last year.

In 1969 we imported 3,489,000,000 square yards of materials, either bolt goods or garments. In the first 8 months of this year, through August, using a basis of imports of textiles if we maintain the same average, we would import over 6 billion square yards of material, mostly manmade fibers, in 1971.

Ninety-one percent of all the table radios used in the United States are imported.

One can go to any State, to any port, and go through the transit sheds and the warehouses. I have had that "pleasure" of going through a number of them. It is not a pleasure. It causes dismay and utter shock. One can walk through the blocks of the transit warehouse sheds and see steel of every kind and description pouring into here from all over the world.

This is the problem here today.

Let me attempt to address myself, hurriedly, to the question. Later I shall be happy to yield to the gentleman, if I have time remaining.

I reluctantly but nevertheless sincerely and strongly support this legislation, for it represents the only feasible alternative, as I have told so many of my friends and colleagues who came to me and said, "Al, for God's sake, we cannot support this legislation." I have said, "I went into these hearings hostile to even the suggestion."

I want to tell the Members now sincerely, if there were any other alternative solution I would not be here speaking in support of this bill.

It is true that the American taxpayer has already invested in these vessels we are talking about, both in construction differential subsidies and operating differential subsidies. But nevertheless they are lying there at the dock. They are costing millions of dollars both in interest which is owed to private mortgagors, for mortgages guaranteed by the Federal Government, as well as in maintenance cost.

I wish someone could come up with a viable solution. I am cognizant of what has been said about this. But I explored every way I could from every source I could in an effort to find an alternative to this proposal.

If there were an alternative, we would not resort to legislation such as this. However, it is the only equitable answer to the taxpayers of America and to these operating companies, and my preference is to the taxpayers of America always. I have never put the companies first. I have always put the taxpayers first.

If I had any reason in the world to believe that there was any hope or any possibility that any American line or any conglomerate or anything else could take over these ships and operate them, then

you know I would be for that. However, you folks know that you just simply do not sail the seas any more. When you get on board a vessel—I understand you want to hear "Good morning," "How do you do," and "What can we do to help you in your day's activities." Well, we have come to the point in our lives where we are not that subservient to anybody. In a way I am thankful for that. Regardless of who we are and what our race, color, or national origin is, we are not that way any more, and I am thankful for that. We are all equal Americans. We have gotten to the point where we have reached the level of affluence and we have priced ourselves out of many, many markets. This is a true example of it. Much to my dismay, it is true.

I am going to ask unanimous consent to include in the RECORD the specific details relating to the construction cost; that is, the Federal subsidy and the operating differential cost, but let me say this: During the last year in the operation of the SS *United States* that vessel incurred a loss of \$5 million just in 1 year after an operating subsidy that was paid by the Federal Government of \$9.5 million. Just think of that.

With regard to the SS *Brasil* and the SS *Argentina* during just 1 full year of operation they incurred a loss of \$2.7 million even though the taxpayers in that same year had put in an operating subsidy of \$6.7 million.

Now let us go to the SS *Santa Rosa* and the SS *Santa Paula*. I will address myself only to the last year of operation, because I intend to put all of this in the RECORD. For the last year of operation these two vessels incurred a loss of \$2 million after a subsidy of \$7 million. I am talking about an operating subsidy.

Mr. Chairman, I want to point out these vessels would cost the Government an additional \$80 million per year in subsidy just to get them back in service. These are not our figures. We are not expert in this field, but the Maritime Administration is, and some of our staff members are, and I have relied upon them.

The only possible use for them would be in cruising. Well, you know what a cruise is today. It is much like a floating hotel where room rates can run as high as \$75 a day and up to \$100 a day. And that is a losing business.

I question—and I am sure many of you will—with all of the other priorities that we face today whether we should be spending over \$100 million to subsidize vacations in luxury hotels either ashore or at sea. What do you think about that? What is our obligation to the average taxpayer? Should we take their money from those people who cannot afford these cruises and say that we are going to make the choice to spend it for people at a higher economic level?

Mrs. SULLIVAN. Will the gentleman yield?

Mr. LENNON. I yield to the gentleman.

Mrs. SULLIVAN. I thank the gentleman.

Why would 51 foreign cruise ships come to our eastern ports in a year's time to pick up hundreds of thousands of U.S.

citizens time and time again if this were a losing proposition? They are not losing money.

Mr. LENNON. You mean foreign ships? Mrs. SULLIVAN. Yes.

Mr. LENNON. Frankly, except for one or two instances that have been mentioned here, I do not think they are losing money. But I do know, as you do, those governments go to an even greater degree in subsidizing these ships. Maybe the time has come when, if we want to have the American flag flown on the oceans of the world, we will have to fully subsidize these ships with full construction costs and pay 90 percent of the operating costs.

Mrs. SULLIVAN. I think the gentleman from North Carolina knows what has happened to our maritime business. We are having fewer and fewer American-flag ships on the oceans. Is the gentleman willing to give investors from foreign countries a big bargain in the form of these five beautiful ships, that they will then bring right back to our own shores to pick up American passengers for cruises? This is exactly what we would be doing in this bill today.

Mr. LENNON. If the beloved gentleman whom I admire and respect so much would come up with a definitive alternative, I would buy it and the distinguished gentleman knows that.

Mrs. SULLIVAN. I know this. I placed a letter in the RECORD on November 12 from a Norfolk maritime executive who had lots of good ideas. His port is now taking business away from Baltimore ports, and he is instrumental in making Norfolk one of the biggest ports in the country, in cruising business. But it is foreign cruise business, the British lines. The volume of cruise business on these foreign lines is very heavy. But as this gentleman says, we have never, in this country, marketed our cruise ship product.

Mr. LENNON. The gentleman knows when we went to the Department of Defense to see if they could utilize them in the Department of Defense, the gentleman knows what they said in the committee report—that they are too expensive to operate on a reserve basis to transport troops.

Mrs. SULLIVAN. I understand that, but with a total of \$18 million to recover—the net recovery from the sale at book value of these ships—we are told we can build 22 cargo ships by using this \$18 million as seed money.

The gentleman from North Carolina knows, and I know, that the U.S. Government could pick up that \$18 million—if the companies have to sell the ships—until we can find American investors who will invest in the cruise business. The foreign operators are operating at a profit and they have proven that it can be done.

Mr. LENNON. The distinguished gentleman knows that we have been trying for a long time to find an interested individual or corporate interest to buy these ships.

Mrs. SULLIVAN. How have we tried? The Maritime Commission has not tried.

Mr. LENNON. The whole world knows what is about to happen today and no one has come in and made a viable offer.

The gentleman knows that the gentleman from South Carolina did not have an office address although he did have a box number—the gentleman who manifested an interest in his matter.

Mrs. SULLIVAN. The investor in question does have an office.

Mr. LENNON. I am so happy to hear that.

Mrs. SULLIVAN. He does have an office. Before I even listened to his story, I verified his background as a substantial businessman with money and with additional investment funds. His offer was legitimate. Yet it was not even answered from the company to which he made the offer because, as I said, the shipowners apparently believe they can do better than his offer after this bill is passed.

Mr. LENNON. I think the gentleman will find the facts to be to the contrary.

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

Mr. LENNON. I yield to the gentleman from Louisiana.

Mr. WAGGONER. I think it needs to be said for us to authorize the foreign sale of these vessels is not what any of us would consider to be an ideal situation, but as the gentleman in the well has so aptly said, in the absence of a better alternative, it seems to be the better part of wisdom in my opinion that we go ahead and support this bill today.

However, there are two points which I think need to be made with respect to this proposal that have not been made. That is, these vessels are not carrying cargo or passengers and have not done so for a period of 2 years. The competition with American-flag vessels and the fact that the vessels will be made available to this Government, should an emergency arise—and this is very important in my point of view—is something that must be a part of our consideration with respect to this legislation.

Mr. LENNON. The gentleman will find the answer to the last part of his statement on line 20, page 2, of the committee report. I hope all Members will read the H.R. 11589 and the committee report.

Mr. MAILLIARD. Mr. Chairman, I yield 3 minutes to the gentleman from Delaware (Mr. DU PONT).

Mr. DU PONT. Mr. Chairman, I rise in strong support of H.R. 11589, which would provide in part for the sale foreign of the laid-up U.S.-flag passenger vessels, SS *Brasil*, SS *Argentina*, SS *Santa Paula*, SS *Santa Rosa*, and SS *Constitution*.

DO NOT WANT TO GIVE IMPRESSION THAT SALE IS UNRESTRICTED

Any such sale foreign would be subject to certain conditions intended to protect the interests of the United States and insure that the net sale proceeds will be used to construct new U.S.-flag tonnage.

In this regard, the bill generally provides that with the prior approval of the Secretary of Commerce, these passenger vessels may be sold and transferred to foreign ownership and flag. The consent of the Secretary will be conditioned on: First, approval of the purchaser; second, payment of outstanding debt related to the vessel; third, approval of the sale price and terms; fourth, an agreement

between the seller and the Secretary whereby the net sale proceeds will be invested within 12 months in the construction of new U.S.-flag vessels; and fifth, an agreement between the purchaser and the Secretary, running with the title of the vessel, restricting the trade of the vessel for 2 years in order to protect active U.S.-flag passenger vessels, and insuring that the vessel will be available to the United States in time of emergency.

Mr. Chairman, I am convinced that the best interests of the U.S.-flag merchant marine will be served by enactment of this legislation permitting these five passenger vessels to be sold foreign—subject to the conditions I have just outlined so that we may realize something on our investment. As it is now, the ships rust in their slips, of no use to anyone, at a cost of \$4.5 million a year.

Mr. MAILLIARD. Mr. Chairman, I yield 4 minutes to the gentleman from Pennsylvania (Mr. GOODLING).

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

Mr. GOODLING. I yield to my colleague, the gentleman from Pennsylvania (Mr. CLARK).

Mr. CLARK. Mr. Chairman, I would like to discuss briefly for the benefit of the Members one of the important developments which has occurred during the consideration of this legislation. On November 5, 1971, this substitute bill, H.R. 11589, was introduced covering the sale of passenger vessels which excepted the SS *Independence* and the SS *United States* from sale foreign. The bill was brought up by the Rules Committee on November 9. A day or two prior to consideration by the Rules Committee, an entrepreneur by the name of J. B. Williams from South Carolina came forward with a proposal to purchase the two Moore-McCormack ships and a possible subsequent purchase of the remainder of the vessels covered by this bill. Mr. Williams did not say where the money was coming from, but did indicate that the operator of the vessels would be a Mr. Jules Sokoloff. This was the same person who was the sole owner of the *Chadade Shipping Co.* which owned the *Yarmouth Castle*, a Panamanian-flag vessel which burned at sea in 1965 with the loss of some 90 lives.

In view of the House Merchant Marine Committee's great concern with marine safety, our committee thoroughly investigated this tragedy and issued a comprehensive report to the House of Representatives on April 20, 1966.

This report indicated that there was "little evidence that the *Yarmouth Castle* was efficiently manned and operated when it met with disaster." The report clearly showed a shocking failure in the functioning of the ship's organization, as well as shoddy vessel housekeeping which may, indeed, have led to this tragic conflagration. In short, the report pointedly indicated the gross mismanagement and disorganization of this ill-fated vessel which is, of course, the owner's responsibility.

This passenger-ship problem has been pending before the committee for 8 months with a continuing drumfire of



publicity in the news media, so it was disconcerting to learn of this proposal at this late date. At the very least, the timing of the proposal would have led one to think twice about its credibility. For this reason, the staff of the House Merchant Marine and Fisheries Committee made a preliminary investigation of the court actions pending against Mr. Sokoloff, who, under the J. B. Williams proposal, would be the operator of these vessels.

Our investigation indicated that there is apparently \$400,000, plus interest, in judgments in the local courts in Miami against Mr. Sokoloff. None of these judgments has been paid.

In addition to the five judgments against Mr. Sokoloff personally, the Panamanian-flag cruise ship *Yarmouth Castle* disaster—which I mentioned before as resulting in the death of some 90 persons—gave rise to 71 suits pending against the Chadade Shipping Co., of which Mr. Sokoloff is the sole stockholder. We understand that the amounts of these suits against the Chadade Shipping Co. total approximately \$60 million.

In light of the past safety record of Mr. Sokoloff in his marine operations and his questionable standing as a result of the litigation mentioned above, it would seem that no responsible person could any longer consider him as an acceptable party to operate any of these U.S.-flag passenger ships.

I just wanted to bring these facts to the attention of my colleagues so they could properly evaluate what has been heralded as a legitimate proposal to continue these vessels under U.S.-flag operation. I endorse H.R. 11589 100 percent and congratulate our distinguished chairman, Mr. GARMATZ, and the distinguished minority member, Mr. MAILLIARD, in pressing this important legislation. Twenty-three members of the committee cosponsored this bill.

Mrs. SULLIVAN. Mr. Chairman, will the gentleman yield?

Mr. GOODLING. Mr. Chairman, I am sorry that I cannot yield to the gentlewoman from Missouri, but I do not have sufficient time to yield.

Mrs. SULLIVAN. Would the gentleman yield only for the purpose of making a correction?

Mr. GOODLING. Because of the shortness of my time I would suggest that the gentlewoman from Missouri ask the Chairman for time.

Mrs. SULLIVAN. All right.

Mr. GOODLING. Mr. Chairman, I rise in strong support of H.R. 11589, a bill designed to alleviate one of the most pressing problems faced by our merchant marine today—our laid-up passenger vessels.

At the present time, the *Brasil*, *Argentina*, *Constitution*, *Santa Paula*, *Santa Rosa*, *Independence*, and *United States* are in layup after incurring heavy financial losses despite the best efforts of their owners. The total cost to the Government in the form of operating subsidy for the last year or operation of these passenger vessels was about \$36 million. How did this occur? Your committee has concluded that jet aircraft, more than any other factor, were re-

sponsible for the drastic falloff in passengers that ultimately resulted in the layup of these vessels. Aviation not only had a devastating impact upon our fleet, but also seriously crippled the passenger operations of the leading foreign-flag operators.

Faced with the loss of point-to-point passengers to jet aircraft, U.S.-flag passenger vessels were forced to turn to the cruise market out of our ports. However, they could not compete because our passenger vessels were generally constructed for point-to-point transportation and did not lend themselves to cruising—for example, lack of open deck space, outdoor activity areas, and one-class accommodations and public areas.

The passenger ship operators and the Assistant Secretary of Commerce for Maritime Affairs, Mr. Gibson, testified that they know of no way in which these laid-up ships could be profitably operated. The Assistant Secretary further testified that it would require an additional amount of operating differential subsidy, estimated to be about \$80 million annually, in order to reactivate them, and that this could not be justified when consideration is given to other requirements of the U.S.-flag merchant marine—to say nothing of other priorities in the national budget.

Your committee did not overlook the role of these vessels as naval troop ships during periods of national emergency. The Department of Defense testified, however, that retention of these ships for this mission cannot be justified.

Your committee was forced to conclude that these passenger vessels cannot compete with jet aircraft in point-to-point transportation, cannot compete with low cost foreign-flag cruise vessels, and that the additional subsidy required to place them back in operation cannot be supported.

One speaker suggested thousands of seamen would be thrown out of work.

In addition to what I've already said, one of the many key factors which have contributed to the demise of the U.S.-flag passenger fleet has been increases in wages and benefits without improved productivity in the form of crew reductions and work-rule flexibility.

Unfortunately, seamen and longshoremen have rather consistently tied up both passenger ships and freighters. As a result, the general public has turned to more responsible means of transportation.

The action authorized by H.R. 11589 is the only reasonable solution to this very unhappy situation.

Mr. MAILLIARD. Mr. Chairman, I yield the remaining time to the gentleman from Washington (Mr. PELLY).

Mr. PELLY. Mr. Chairman, I rise in support of H.R. 11589. The distinguished chairman of the Committee on Merchant Marine and Fisheries, the gentleman from Maryland (Mr. GARMATZ) and the distinguished ranking minority member of the Merchant Marine Subcommittee, the gentleman from California (Mr. MAILLIARD) have stated clearly the reasons for this legislation. I will reiterate only a few of the arguments which I feel are most compelling.

A great deal of confusion has been generated during the past few weeks over this legislation. There have been telegrams and counterteleggrams. I am sure that many of my colleagues are at a loss as to whom to believe. These, however, are facts. Of the seven laid-up U.S.-flag passenger ships, only one has any chance of returning to active service under the American flag. That ship—the *SS Independence*—is expressly exempted from this bill, as is the *SS United States*, which, if the bill is enacted, will be placed in the national defense reserve fleet for possible use in any future national emergency.

The five passenger ships which could be sold to foreign owners pursuant to the terms of H.R. 11589 are now in layup. The seafaring jobs which these ships represented have all been lost. The defeat of this legislation will not result in a single job for American seamen. The passage of this legislation will not result in the export of a single job. I appreciate the great concern over the loss of these ships from the active U.S. fleet. That loss, however, occurred almost 2 years ago and was due to economic factors which were building for over a decade. While more efficient management might have resulted in keeping these ships in service longer, it is equally true that a more enlightened attitude on the part of labor could have contributed to a prolonged life for these ships. The fact is that labor-management efforts to place the operation of these ships on a more efficient economical footing came too late.

Finally, Mr. Chairman, it should be noted that this legislation is not a bailout for the owners of these ships at the expense of labor. If the ships are sold, the proceeds of sale must be committed to the construction of new tonnage to be operated under the U.S.-flag employing American seamen. It is only in this way that the layup of these passenger ships will ever result in the reemployment of any American seamen. Those who are concerned over the loss of jobs, and I am sure that includes every Member of this body, will be doing something positive by supporting this bill. Its defeat will be a totally negative act to the detriment of our seafarers, the companies which employ them, and the American merchant marine.

Mr. MURPHY of New York. Mr. Chairman, will the gentleman from California yield?

Mr. MAILLIARD. I yield 1 minute to the gentleman from New York.

Mr. MURPHY of New York. Mr. Chairman, I would like to point out just two items that the committee has done in the past 5 years. No. 1, this committee revised the safety regulations and advertising so that the extreme safety features on American ships were made available to the traveling public, and showing how much better American ships were to travel on. That legislation did not benefit to the point at which the ships could get into a profitmaking category.

No. 2, when the North Atlantic ships were not carrying passengers during the winter months, the committee changed

the law to permit them to move off their routes and go to the Caribbean, and even under that situation they could not make money in competition with cruise ships that are different types of ships from these line ships. I think the House in its wisdom can support this legislation and help the American merchant marine.

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

Mr. MAILLIARD. I yield such time as he may consume to the gentleman from Oregon.

Mr. WYATT. Mr. Chairman, I wish to commend the gentleman from Washington (Mr. PELL) and others who have spoken in support of the bill. I support the bill for the reasons that have been so very well stated.

Mr. BURKE of Florida. Mr. Chairman, I rise in opposition to H.R. 11589, which proposes to have the Congress authorize the sale of five U.S. passenger ships, built with millions of taxpayers' dollars in construction subsidies, to foreign interests.

The need for these ships, it was originally argued, was to provide an auxiliary to our naval troop-lift capacity. In all, seven such ships were then built: the *SS Argentina*, *SS Brasil*, *SS Constitution*, *SS Santa Paula*, *SS Santa Rosa*, *SS United States*, and the *SS Independence*.

All these ships were subsidized by the Government on condition that they be held under U.S. registry and fly the U.S. flag for a period of 25 years. These ships were built in the early fifties and sixties when travel by ship to Europe and Asia was still a preferred way of travel for tourists and businessmen. The 25 years have not yet expired, therefore, the ships may not be sold to a foreign registry without specific statutory authority. In the case of the *SS Brasil*, the *SS Argentina*, the *SS Santa Paula*, and the *SS Santa Rosa* which would be sold under H.R. 11589, the lifetime of these ships has been less than half of the legal requirement.

Conditions have, however, changed and the owners of the seven passenger vessels, now in order to get out from under, argue that it is impossible to operate the ships due to:

First, the impact of jet aircraft on passenger traffic;

Second, the poor vessel configuration for their use in the cruise trade;

Third, the failure of rates and revenues to compensate for the rising costs of operation;

Fourth, the increases in wages and benefits imposed by unions without improved productivity in the form of crew reductions and work-rule flexibility;

Fifth, the decline in supplemental cargo revenues;

Sixth, the inability to raise rates to offset cost increases because of the large number of foreign-flag passenger vessels competing for the cruise passengers out of our ports; and

Seventh, the inflexibility and inadequacy of the operating differential subsidy system provided by the Government, are forcing them out of the business.

The present American owners are, therefore, asking that the Congress grant

them permission to sell these ships to foreign owners. They say they cannot afford to operate them and they cannot find American buyers willing to operate them. They also say that the ships will not be sailable much longer because they are rotting in drydock, and that maintaining them under existing conditions is an economic drain on the shipping companies which could endanger their operation of cargo ships.

Under the proposed legislation the Secretary of Commerce would buy only the *SS United States* and put it in the reserve fleet for national emergency purposes as a troop carrier, or make it available for sale or charter for operation under our nation's flag. The *SS Independence* was also excepted from H.R. 11589 because an American firm, Wall Street Cruises, is negotiating to buy the ship and put her back in service.

I think it imprudent to put these ships under a foreign flag at this time when the U.S. balance of payments and trade balance has dipped so disastrously—\$12.1 billion deficit so far this year. A large proportion of cruise passengers are Americans, and if this bill becomes law, we would once more be sending U.S. dollars to foreign businesses instead of to American businesses.

To be sure, it is the state of our U.S. economy that is one of the reasons why the present shipowners are pushing to have this legislation passed. It is true, also, that American businessmen who are willing to operate the ships have had difficulty in raising the large sums of money necessary to buy and maintain these ships. Yet it is a sad anomaly that foreign governments, knowing the value of these ships, provide their companies with extraordinary financial arrangements so they may buy the ships at interest rates far below the going rate. For instance, the Sun Line has been promised by the Greek Government that if it can obtain the *SS Constitution* it will be provided with a loan repayable over a 30-year period at 1-percent interest, to refit the ship in a Greek shipyard.

The present deterioration of our merchant marine came about as a result of the U.S. sale of surplus ships after World War II. Most of the foreign shipping barons recognized the opportunity and jumped at it. Many got their start by buying U.S. surplus ships and placing them under a foreign registry in competition with U.S. shipping lines.

I do not believe that the Maritime Administration has thoroughly explored all possible ways and means which might enable us to keep these ships under the American flag. In fact, I understand that the Maritime Administration has conducted no formal study of the problem involved.

I recognize the plight of our shipowners, but it is a sad state of world affairs when we can no longer meet the competition of foreign ships on the high seas.

The cruise trade out of our Nation's ports is lucrative. In my own district, Port Everglades and Miami Port do a thriving business in cruises. According to testimony before the Committee on Merchant Marine and Fisheries 37 cruise ships put into Port Everglades in Febru-

ary 1970. All of these ships were under a foreign registry. Cruise trade has increased annually. In 1962 there were a total of 265,859 people who were involved in cruise travel by sea from the United States. In 1969 there were a total of 568,826 people, or nearly twice as many. However, less and less of this trade has been on U.S. ships.

Mr. Chairman, if the arguments that were used to sell the American people on subsidizing passenger ships were valid in 1936, when the Merchant Marine Act was first passed, they are valid now. Arguments were made about the importance of the passenger ship fleet as an economic entity, as an arm of our defense, and as an instrument to enhance America's standing in the world, and as an employer of specially skilled workers.

The Vietnam sealift prove conclusively that ships are necessary as an auxiliary to air power. Airports have to be built before airplanes can land and the people and materials to build airports are most easily transported by ship.

Yet, the United States is going out of the passenger ship business. Driven out by foreign competition and airplane competition at a time when many U.S. industries are being threatened by foreign competitors. The capital investment necessary for us to reenter this area of competition is prohibitive. If we sell these ships we will be dependent on ships of foreign registries for passenger transportation by sea. It seems folly to me to have spent so much money to subsidize a business for such a long time, and then ultimately let foreign nations benefit more from our efforts than our own citizens. I find it hard to believe that our Yankee ingenuity and desire for competition is so dead that our American businessmen cannot figure out a way to make an honest profit in this business but would instead rather quit.

These ships represent a vital asset to our national security and economic strength. Their sale to foreign interests would raise the unemployment level by putting thousands of American workers in the maritime industry—seamen, longshoremen, shipyard workers, and others—out of work permanently. In addition, the taxpayer would once again be left holding the empty pail. What does he get from those who were so anxious that he participate in the construction of these ships? What value does he get for his money?

I honestly feel that to permit the sale of these five ships abroad will increase our maritime problems and that a vote for H.R. 11589 is one more vote against the American taxpayer. The taxpayer has a right to know why his end of the bargain is not being upheld, and further what it is going to cost him this time.

Mr. SCHEUER. Mr. Chairman, I rise in opposition to this bill. H.R. 11589 is a bill which seeks to destroy a vital asset to our security and economic strength by authorizing the sale of five American passenger ships to foreign interests.

The sale of these ships at bargain prices adversely affects American citizens in two ways: It annuls their tax dollar investment in these ships, and it increases the balance-of-payment deficit



by replacing American seamen with foreign seamen and by contributing all fares from American ports to foreign economies. There is no reason for this utter disregard for the taxpayers' interest.

Some factions of the American shipping industry have despaired of ever making it a profitable enterprise. In recent years the cruise trade has not been profitable for American businessmen. But conditions are changing rapidly in the industry and past experience is not conclusive as to the future. These ships should not be sold without careful consideration of the industry and its future.

In my judgment, the logic underlying H.R. 11589 represents a lack of imagination and vision. It is not indicative of the traditional American ability to analyze a situation, investigate all the possible solutions, and then select the most effective course of action. On the contrary, it embodies a shortsighted escapism and fails to meet the challenge.

I oppose H.R. 11589 because it is unfair to the American taxpayer, it poses a threat to our economic strength, it takes jobs away from our citizens, and it encourages an unimaginable, escapist approach to problem solving.

Mr. PODELL. Mr. Chairman, today we are called on to vote on a most disappointing bill—the sale of our American passenger vessels to foreign nations. This unfortunate dilemma comes before this body at a time when American influence is rapidly fading. It is just another example of the sun setting on a once powerful nation. Because of inefficient management and bumbling bureaucracy, are we again forced to concede that we cannot compete with other nations in the world market? Should America's maritime heritage be torpedoed and great ships such as the *SS Brazil*, *SS Argentina*, *SS Santa Paula*, *SS Santa Rosa*, and *SS Constitution* be sold to other foreign owners? I think not.

While it is true that the percentage of people traveling by ship has decreased, it should also be noted that pleasure cruising from U.S. ports is booming. Passage on a ship is no longer considered a form of expedient travel, but rather a form of vacation. Between 1950 and 1970 the number of cruise ships sailing from New York to the Caribbean increased from 12 to 30, the number of cruises increased from 40 to 500, and passengers carried rose from about 20,000 to 150,000.

Yet, despite this increase there is not one ship now available to American families who want to sail the Atlantic or Caribbean which meets U.S. safety standards. It costs millions of dollars to maintain the superior safety of U.S. ships. No rational human would dare to say that we spend too much on protecting our people against the terror of fire or other disasters at sea. It is frightening to note that the competitive edge which foreign-flag operators have enjoyed is because they did not have to make the same investment in safety. We only have to remember the tragedy of the *Yarmouth Castle* fire, a foreign-flag vessel carrying many Americans, to realize that America's safety standards should be paramount in our thinking.

It is argued that increases in wages and benefits have occurred without improved productivity in the form of crew reductions and work-rule flexibility. Shall we for the same reason forsake our railroads? Our maritime unions have agreed to help in every way possible so that American passenger vessels will not be burdened by outdated or outmoded contracts. The AFL-CIO Maritime Committee has given a no-strike pledge to the passenger vessel operators and agreed to trim manning scales to the bare minimum consistent with satisfactory service. On the west coast, several unions have already inaugurated a sliding scale for afloat personnel keyed to the number of passengers carried.

Finally, proponents argue that rate and revenues do not reflect the rising costs of operation, and that the operating differential subsidy system provided by the Government is inflexible and inadequate. If our American Maritime companies had proper subsidies, they would be able to compete with foreign vessels. The operating differential subsidy for passenger vessels is generally designed to make up the difference between foreign and American costs of wages, insurance, maintenance, and repairs not compensated by insurance. By far the greatest portion of the subsidy funds are provided to offset the difference between American and foreign costs. However, it has been pointed out, by the Assistant Secretary of Commerce for Maritime Affairs that our wage subsidy probably never has given true parity in this regard. Additionally, it appears that foreign governments give their passenger ship operators advantages such as accelerated depreciation, tax benefits, grants, and in addition, provide capital at lower cost.

Should we not give American operators a fighting chance to compete with the same weapons?

It appears that America's once mighty transportation system is dying. Our passenger trains could not run profitably and have been given to a quasi-public corporation; our domestic and international airlines are in dire financial trouble; and we have mothballed almost all our passenger vessels. We should not give up hope for American ships by selling them, but should try all possible means of keeping them afloat under the American flag. Rather than hiding our inability to conquer these problems by selling our ships, we should begin an active, logical, and nondiscriminatory approach to subsidy, operation, and maintenance of our passenger vessels.

Mr. BIAGGI. Mr. Chairman, I strongly oppose legislation authorizing the sale of five U.S. passenger vessels to foreign interests. Passage of this bill will surely spell the end of the U.S. passenger trade at a time when all other nations are expanding their cruise trade.

In this respect, I commend the gentlewoman from Missouri (Mrs. SULLIVAN) for her efforts to defeat this proposal. I concur wholeheartedly with her actions.

There is ample evidence that passenger vessels can be operated profitably and without subsidy. More and more foreign cruise lines are plying American

waters with great success. More Americans are attracted to this leisurely type of vacation instead of the hectic jet-set packages sold by the airlines. The only thing that is lacking is a little American know-how to make it work here.

Perhaps some of the superluxury aspects of the former passenger cruises will have to be eliminated. However, this will help attract more middle-class Americans who seek a pleasurable vacation at little cost. Studies have been conducted that show this type of cruise is economically feasible for the U.S. passenger vessels in question.

Yet the committee failed to consider this aspect in detail in their efforts to provide a windfall tax break for the owners of these passenger vessels. Certainly it will be far easier to sell these vessels than to seek ways of operating them profitably, but the committee and the Maritime Administration should be acting more in the interests of the American people than in the interests of making things easy for the big shipping companies.

All the millions of dollars put into these ships by the U.S. taxpayers will be lost if they are sold. All the benefits obtained by having these ships as part of our national defense system will be auctioned off to the highest foreign bidder. The U.S.S.R. has already indicated its desire to obtain these ships. They not only may be able to ply a profitable cruise trade as a result of this bill, but they may also have fine troopships available to carry their soldiers—all at the expense of the American taxpayer who helped build the ships.

While it has been pointed out that American interests may buy the ships, all evidence points to the fact that foreign interests who see the great worth of the ships will outbid any American takers. Moreover, the shipping companies who should be doing the bidding in America are the ones selling the ships.

True, certain sacrifices may have to be made to keep these ships in operation under the U.S. flag. The unions and the owners of the vessels will have to agree on wages and working conditions that will permit continued operation of these vessels on a profitable basis. The unions have already indicated they are willing to do so.

The companies may have to use their ingenuity to devise profitable cruises and then spend some advertising dollars to attract new customers. If their efforts to promote these ships are equal to their efforts to get this sales authorization bill passed, I know they will be successful in operating the vessels at a profit.

The Federal Government, too, may have to provide interim assistance to get these vessels back into operation. In light of the considerable subsidies paid the airlines, a small subsidy to help get this cruise program underway is a small price to pay to keep American flags flying on passenger ships.

Thousands of jobs will be created by restoring these vessels to operations. Millions of dollars in foreign exchange that have been going to other nations will begin to flow into U.S. banks and the U.S. economy. And we will be able to

maintain our U.S. passenger fleet for use in times of peace and war.

Once these vessels are sold to foreign interests there will be no chance of reversing the decision to kill the passenger trade. It would be economically impossible today to build ships such as the ones we are practically giving away, if this bill passes.

Mr. Chairman, it is essential that everyone here understands that they are not voting simply to permit the sale of a handful of ships, but rather they are voting to either end or continue the passenger service in our ports under the U.S. flag. I, for one, will not be a party to this sell-out. I urge my colleagues to vote "No" on this bill.

Mr. TEAGUE of California. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Eighty-nine 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. 421]

Abbitt	Edwards, La.	Patman
Abourezk	Eilberg	Pepper
Anderson,	Erlenborn	Price, Ill.
Tenn.	Evins, Tenn.	Pryor, Ark.
Andrews, Ala.	Fish	Railsback
Belcher	Foley	Riegle
Blatnik	Fulton, Tenn.	Rodino
Broyhill, Va.	Gettys	Rooney, N.Y.
Burton	Goldwater	Ruppe
Byrne, Pa.	Gubser	Scheuer
Celler	Hanna	Sikes
Chisholm	Hébert	Slak
Culver	Horton	Steed
Davis, S.C.	Landrum	Thompson, N.J.
Dellums	McClory	Wiggins
Derwinski	Monagan	Wilson,
Diggs	Nelsen	Charles H.
Dowdy	Nichols	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. SMITH of Iowa, 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. 11589, and finding itself without a quorum, he had directed the roll to be called, when 379 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. The Clerk will read. The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* Notwithstanding any other provision of law or of prior contract with the United States, any vessel heretofore operated as a passenger vessel, as defined in section 613(a) of the Merchant Marine Act, 1936, as amended, under an operating-differential subsidy contract with the United States and now in inactive or layup status, except the steamship United States, may be sold and transferred to foreign ownership, registry, and flag, with the prior approval of the Secretary of Commerce. Such approval shall require (1) approval of the purchaser; (2) payment of existing debt and private obligations related to the vessel; (3) approval of the price, including terms of payment, for the sale of the vessel; (4) the seller to enter into an agreement with the Secretary whereby an amount equal to the net proceeds received from such sale in excess of existing obligations and expenses incident to the sale shall within a reasonable period not to exceed twelve months of receipt be committed and there-

after be used as equity capital for the construction of new vessels which the Secretary determines are built to effectuate the purposes and policy of the Merchant Marine Act, 1936, as amended; and (5) the purchaser to enter into an agreement with the Secretary, binding upon such purchaser and any later owner of the vessel and running with title to the vessel, that (a) the vessel will not carry passengers or cargo in competition, as determined by the Secretary, with any United States-flag passenger vessel for a period of two years from the date the transferred vessel goes into operation; (b) the vessel will be made available to the United States in time of emergency and just compensation for title or use, as the case may be, shall be paid in accordance with section 902 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1242); (c) the purchaser will comply with such further conditions as the Secretary may impose as authorized by sections 9, 37, and 41 of the Shipping Act, 1916, as amended (46 U.S.C. 808, 835, and 839); and (d) the purchaser will furnish a surety bond in an amount and with a surety satisfactory to the Secretary to secure performance of the foregoing agreements.

In addition to any other provision such agreements may contain for enforcement of (4) and (5) above, the agreements therein required may be specifically enforced by decree for specific performance or injunction in any district court of the United States. In the agreement with the Secretary the purchaser shall irrevocably appoint a corporate agent within the United States for service of process upon such purchaser in any action to enforce the agreement.

SEC. 2. The Secretary of Commerce is authorized and directed to purchase the steamship United States, as is, where is, at the depreciated cost of the vessel to the owner, as determined by the Secretary of Commerce, less the unpaid principal and interest on the mortgage on the vessel, for layup in the National Defense Reserve Fleet and operation for the account of any agency or department of the United States during any period in which vessels may be requisitioned under section 902 of the Merchant Marine Act, 1936, and/or for sale or charter to a qualified operator for operation under the American flag. The depreciated cost of the vessel to the owner shall be computed on the schedule adopted by the Internal Revenue Service for income tax purposes. Such determination shall be final. The Secretary of Commerce shall require the owner of the vessel to agree that it will pay all existing private obligations related to the vessel, and that it will commit an amount equal to the net proceeds received from such sale in excess of existing obligations and expenses incident to the sale, within a reasonable period not to exceed twelve months of receipt, as equity capital for the construction of new vessels which the Secretary determines are built to effectuate the purposes and policy of the Merchant Marine Act, 1936, as amended.

Mr. GARMATZ (during the reading). Mr. Chairman, I ask unanimous consent that the bill 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 Maryland?

Mr. TEAGUE of California. I object, Mr. Chairman.

The CHAIRMAN. Objection is heard. The Clerk proceeded to read the bill.

Mrs. SULLIVAN (during the reading). Mr. Chairman, I ask unanimous consent that the bill 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 gentlewoman from Missouri?

Mr. TEAGUE of California. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard. The Clerk will finish reading the first section of the bill.

The Clerk concluded the reading of the first section of the bill.

Mrs. SULLIVAN. Mr. Chairman, I ask unanimous consent that the bill 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 gentlewoman from Missouri?

There was no objection.

Mrs. SULLIVAN. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentlewoman from Missouri is recognized.

Mrs. SULLIVAN. I take this time merely to correct a wrong impression that was left by the remarks of one of the previous speakers. He said that the sole owner of the cruise ships for which an offer was made to one of the ship companies was the former operator of the *Yarmouth Castle*. Under the proposal offered to the ship company, the former operator of the *Yarmouth Castle* would be the cruise operator, but he would not have 1 cent of his own money invested in the purchase of the ships or in the company seeking to own the ships if they could be purchased from the present shipowner. I wanted that false impression to be corrected.

Mr. LEGGETT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I support H.R. 11589, which provides for the foreign sale of certain American passenger ships. At first glance, this bill may appear to constitute a blow to our merchant marine industry. But I am convinced that this is not the case. Rather, this bill is merely the best realistic solution to an admittedly bad situation.

The vessels in question have not sailed for at least a year—some for several years. Maintaining them in their laid up state costs the companies which own them a total of \$6 million per year. Total layup costs will ultimately run about \$50 million if they were mothballed.

While keeping the ships idle is costly, operating them was even more costly. During their last year of operation, these ships received Government subsidies totaling \$18 million. The U.S. Treasury spent over one-quarter billion dollars to subsidize these ships over the past 10 years. But even considering the subsidies, they lost an additional \$8 million yearly which was absorbed by their owners.

No qualified American concern has offered to buy the ships. There is simply no way they can be put back into American operation, unless we are willing to increase the subsidy to fantastic levels. When we consider that these ships are in effect luxury hotels costing \$75 to \$100 per day per person, I find it difficult to justify even the earlier level of subsidy. Surely, the people who can afford these prices have very little claim on our national priorities. Surely we



should not subsidize the luxury cruise class to the Caribbean.

We have simply priced ourselves out of the market, and there is no point in hanging in there and plugging away at a battle that is already irrevocably lost. Our 1970 Merchant Marine Ship Development Act ignored the merchant ship program for good cause—we all concluded it was a dead horse.

Even the passenger ships operated by nations with lower wage scales are in trouble because of the overwhelming popularity of jet transoceanic travel. The shining new *Queen Elizabeth II* is now being considered by its owners for use as a luxury hotel—read page 2 of the report. Of the five new Italian ships built in the past 5 years, two have been withdrawn from service.

As I said a moment ago, this bill makes the best of a bad situation. Foreign buyers of these ships must agree that they will not use them to carry passengers or cargo in competition with any American-flag vessel for at least 2 years. There really are not any to compete with. He must agree to place the vessel at our disposal in the event of a national emergency. The purchaser must be approved by the Secretary of Commerce. There is no nation in its right mind that would use a ship this big for troop transport. The seller must agree that the net profits from the sale will be plowed back into construction of new American cargo vessels.

Mr. Chairman, we are not taking jobs away from the merchant sailors who once operated those ships. Those jobs have not existed for some years, and nothing is going to happen to re-create them. We are, however, creating some new jobs in our shipyards and ultimately in our cargo fleet. This bill is the best solution we are going to get, and I urge its passage.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. GROSS. Mr. Chairman, I take this time to ask a question or two of those knowledgeable concerning this bill. Do I correctly understand that the S.S. *United States* is to be purchased by the Government for some \$12 million? I do not quite understand this financing.

The mortgage will be canceled, and there will be an allowance of credit for approximately \$5,200,000 available to the United States Lines toward the construction of new vessels. Does this mean that we will be taking \$12 million from the Federal Treasury to pay the owner and the U.S. Government will actually get—what? Less than \$7 million in return from the sale of this vessel?

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

Mr. GROSS. I yield to the gentleman from California.

Mr. MAILLIARD. Mr. Chairman, the ship is in layup. Of course, the original bill as passed by the committee provided that those ships could be sold foreign and I do not know exactly what they will bring on the market.

Mr. GROSS. I am talking about the Constitution.

Mr. MAILLIARD. The gentleman mentioned the *United States*.

Mr. GROSS. The gentleman is correct. I am wrong. It is the *United States*.

Mr. MAILLIARD. What the bill which was later introduced does is to credit the company that owns the ship with its depreciated value, in other words, the book value of the vessel, which includes a mortgage which is a Government-guaranteed mortgage—actually, I think this is a Government-held mortgage and not a guaranteed mortgage.

So what will happen is that the U.S. Treasury will pay itself off with a mortgage, and the balance will go to the company but with the commitment that, within a 12-month period, they will be committed to the building of new vessels to fly the U.S. flag.

Mr. GROSS. Then we take from the Treasury \$5,200,000 for the construction of new vessels? Do we take this out of the Treasury?

Mr. MAILLIARD. That is correct. What we in effect are doing—we do not know what the sales price might have been, but when we take the ship into the reserve fleet, we will give the company credit for its reserve value.

Mr. GROSS. The gentleman says the worth is approximately \$12 million?

Mr. MAILLIARD. That is a guess, because nobody knows, because no really firm offer was ever received, but the \$12 million that will be credited is the book value. We do not know what its market value is, because there have been no offers made on it.

Mr. GROSS. But the taxpayers of this country have 55 percent invested in the original cost of this vessel?

Mr. MAILLIARD. That is correct. The taxpayers are keeping possession of the vessel.

Mr. GROSS. Yes, but we are paying somebody \$12 million.

Mr. MAILLIARD. We are paying about \$7 million to ourselves, because we hold the mortgage, and they will get the credit, which must be employed in the building of new ships, of approximately \$5 million.

Mr. GROSS. I find this, I will say to the gentleman, hard to assimilate. I do not know why these ships were built in the first place.

Some of them are no older than 13 years. Somebody in this Government somewhere made a bad mistake, because more than 13 years ago we were passing legislation including mandatory provisions that cargoes had to be shipped in American vessels. We recognized 13 years ago, and before, that the merchant marine of this country was in dire circumstances, in dire straits, and yet we went ahead and built these vessels. Who made that mistake?

Mr. MAILLIARD. Mr. Chairman, if the gentleman will yield, of course, while it is true the younger of the ships are 13 years old, the decision to build them antedates that time by several years, and at that time the jet airplane had not destroyed the passenger business.

Mr. GROSS. We had airplanes that were flying people to the four corners of the earth at that time. They might not have been quite so comfortable as they are today, and possibly they were noisier

and that sort of thing, but they were moving right in.

Mr. MAILLIARD. But people were still traveling on the ships, and these ships made money for a while.

Mr. GROSS. These ships made money? It must have been of a very short duration if they did.

The question now arises, when we take the money from the sale of these ships and put it into cargo vessels with a 55-percent construction differential being taken out of the pockets of the taxpayers—

Mr. MAILLIARD. If the gentleman will yield, the construction subsidy now is around 35 percent.

Mr. GROSS. All right, and 35 percent is too much. But is there any indication that these new cargo vessels will pay their way? Or will the committee be in here in 4 or 5 years wanting to sell the new freighters to get some more money out of the U.S. Treasury?

The CHAIRMAN. The time of the gentleman from Iowa has expired.

(By unanimous consent, Mr. Gross was allowed to proceed for 2 additional minutes.)

Mr. GROSS. Mr. Chairman, I should like some kind of assurance that taking the money from the sale of these vessels and using it to subsidize in part the construction of new cargo vessels is going to have more meaning than the construction of these vessels had. In other words, is it now planned to compound the mistakes of the past?

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

Mr. GROSS. I yield to the gentleman from Washington.

Mr. PELLY. I believe the answer to the gentleman is that today we can build a class of cargo vessel which can compete with foreign countries. We need cargo vessels, number one, for defense, and number two, for the economy of our country and the balance of payments. Therefore, I would answer the gentleman by saying I believe we can operate cargo vessels today in competition with foreign vessels.

Mr. GROSS. With some degree of facetiousness I might suggest we just take these ships and turn them over to Latin Americans, but before we do so we should build gun platforms on the fore and aft decks to make it easy for them to capture shrimp and fishing boats 200 miles off their coasts on the high seas.

Mr. Chairman, under all the circumstances I cannot support this bill.

Mr. PUCINSKI. Mr. Chairman, I move to strike the requisite number of words.

I take this time to ask the gentleman from Missouri some questions about this legislation. As I understand it, we are going to buy the *United States* back for \$12 million, and we will retire \$7 million of the mortgage, and we will turn the rest over to the shipping company and use that money to build new cargo vessels. Is that \$7 million we are going to pick up a kind of a subsidy?

Mrs. SULLIVAN. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Missouri.

Mrs. SULLIVAN. That is not the subsidy. That will be the net result from taking over this ship at book value and deducting the amount of mortgage they still owe.

Mr. PUCINSKI. How much will a foreign country buying this ship pay us?

Mrs. SULLIVAN. The foreign countries, under this particular bill, do not buy this ship, because we were able to stop the sale of the *United States* and of the *Independence*.

Mr. PUCINSKI. The others?

Mrs. SULLIVAN. Foreign countries cannot pick those ships up. But as to all these other ships, the foreign countries can pick up them, and they are going to buy a really honest-to-God bargain at the expense of the U.S. taxpayers.

And a foreign operator can do anything he wants with that ship. He can convert it into a cargo ship, or a cargo and passenger ship, or he can change the kinds of compartments in the ship as it is today and make it into a cruise ship, which I expect, if they do buy them, they will do, and come back commercially.

Mr. PUCINSKI. Mindful of the wage differential, is there any other reason, besides the wage differential, why some American company cannot put the ships to proper use?

Mrs. SULLIVAN. I believe if our Maritime Administrator were really interested in promoting our maritime industry he would help to find some buyers for these ships, to run as cruise ships. This is the blame I put on not only the gentleman in power right now but also those before him, who do not really get out to build up the maritime industry.

Mr. PUCINSKI. We have developed successfully the nuclear ship *Savannah*, at an enormous cost to the American taxpayer. It had been working very well, and then they put it into mothballs.

Now we have these ships, and they want to sell them. Who is running this Maritime Commission, and what is the long-range plan for the American merchant marine?

Mrs. SULLIVAN. Let me give one example as to what happened to our Maritime Administration. We have two successful cruise ships left running on the west coast. They say they can run 2 more years. But they can continue to run, because they will make a profit on their cruises, but they need to be able to pick up cargo on these cruises in the Pacific. We have introduced proposed legislation. The chairman, some of the others, along with myself, have introduced legislation to permit them to do this, so long as they do not take cargo from any other U.S. flag line on that route.

The Maritime Administration has never given an answer to the committee asking for a report on that bill. Is that true, Mr. Chairman?

Mr. GARMATZ. It is being held up down there. That is true.

Mrs. SULLIVAN. But we have never gotten a reply; have we?

Mr. GARMATZ. That is correct.

Mr. PUCINSKI. Perhaps the chairman

might be able to answer this question. If the taxpayer is going to lose money on this transaction, what happens if we take that money and give it to the American operators and let them try to operate these ships within the confines of the subsidy that we give them and see if they cannot do it with American labor. Why are we saying that we cannot successfully operate them and others can?

Mr. GARMATZ. It will cost the Government about \$80 million a year.

Mr. PUCINSKI. But we are going to lose that, anyhow; are we not?

Mr. GARMATZ. No.

Mrs. SULLIVAN. I will say this: almost 1 million cruise passengers are paying fares to foreign operators coming into our eastern ports today and not \$1 of that is coming back here to this country. I do not know what the total is, but I know it is over \$200 million that is going away from this country. So, if we had to pay \$80 million in subsidies, we would still be ahead with American workers.

Mr. PUCINSKI. I thank the gentleman.

Mr. GERALD R. FORD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, better than 2 years ago I tried to work with those who wanted to continue the operation of these ships with a subsidy to get the necessary funds included in a budget recommendation. However, after a great deal of conversation and effort, it was perfectly clear that there would not be a budget recommendation after a certain date for the continued subsidy operation of these ships.

So today we are faced with a different and difficult situation. The administration is not going to ask for operating subsidies. If you give it to them, they will not spend it. With that assumption, which I think is an accurate one, I think the best alternative is to approve this bill.

I would have preferred the original bill, but wiser judgments than mine have convinced the committee that the second bill is the better of the two, and so I am for the second bill or the one before us.

Let me just make a few other points if I might.

These ships have been laid up anywhere for a year or longer. There is no conceivable possibility that they are going to sail again with a subsidy and they cannot without a subsidy. Nobody in this administration is going to put \$80 million a year into a subsidy, and that is the only way you can operate them.

So it seems to me that we are on far sounder ground fiscally and otherwise to approve this legislation.

According to the committee, the five vessels in their last year of operation lost \$18 million. What we ought to do is sell the five and put one in the reserve fleet. We may have to put the other in the reserve fleet if we do not get a buyer for it.

It seems to me, in light of the practical circumstances, we are all better off

to take the course of action that the committee has recommended. I would prefer it if we could get passengers and could cut down the subsidy and have them sail the seven seas, but they are not going to operate. They have not for over a year, and they will not in the future. So, we are stuck with mortgages in which we have an interest, the operators have an interest, and it just seems to me that we ought to transfer the account as far as we are concerned and buy off the interests of the operators, sell the vessels if we can, and take that money which we get from the sale and put it into new construction of cargo vessels that will sail the seven seas and which will provide jobs for American seamen.

It is just that simple.

The other alternative gives you nothing except never-ending expense. It is just that pragmatic.

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

Mr. GERALD R. FORD. Yes; I yield to the gentleman from Virginia.

Mr. DOWNING. I would like to compliment the distinguished minority leader and say that he is exactly right.

I would like to also tell my friends in the House that this committee is dedicated to the proposition of protecting and promoting the merchant marine of this country. We have got to have it not only from a cargo and trade situation, but from the standpoint of national defense.

There is not one member of this committee that would do anything to harm the merchant marine. We do not want to do this. However, we have exhausted every possibility with reference to this particular situation and this is the only alternative that we can find at the present time. There is no other alternative.

Mr. GERALD R. FORD. We have three or four bad alternatives, and this is the most practical and most responsible alternative out of a number of bad choices.

If you vote "no," you will vote to continue paying off mortgages on ships that are not going to sail. It just seems to me that we ought to get our money out by selling the ships and build some more ships that will provide American jobs.

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

Mr. GERALD R. FORD. Yes; I yield to the gentleman from North Carolina.

Mr. JONAS. Would it be correct to say that this is another example of the United States pricing itself out of the world market?

Mr. GERALD R. FORD. I am told that under the old agreements ships of this kind were overloaded with help and, therefore, they could not compete with foreign competition. I also know, however, that about a year and a half ago the head of one of the maritime unions was willing to make some reduction in the number of personnel. But even with those reductions, they found out they could not operate on a competitive basis. Therefore, the net result is that the ships lost millions last year. With the competitive situation which exists now, they will lose many more millions in the next 12



months. It just does not make sense to keep them going.

Mr. Chairman, I hope the bill is approved.

Mr. EVANS of Colorado. Mr. Chairman, I move to strike the requisite number of words.

I have a few questions which I would like to ask as to the various alternatives that the shippers explored and new ideas that may have been explored in an effort to keep these ships operating profitably.

I understand that there are new ideas that have come into the passenger business.

Was this question entered into on the part of the committee? Did the committee explore the question of new ideas that might turn these ships into profitable operations?

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

Mr. EVANS of Colorado. I yield to the gentleman from Virginia.

Mr. DOWNING. Yes, indeed. The Maritime Administrator went into this during his testimony. We did look into every conceivable aspect of this. One was to, perhaps, convert these ships to cruise ships because, if that trade is so profitable as the gentleman from Missouri says it is, these people would have jumped through hoops to have gotten into that business, but that was not feasible.

Another idea was to sell these ships and to form a consortium and build two or three super cruise ships under the American flag. However, this idea was found not to be feasible. We exhausted every possibility.

Mrs. SULLIVAN. Mr. Chairman, will the gentleman yield to me?

Mr. EVANS of Colorado. Yes, I yield to the gentleman from Missouri.

Mrs. SULLIVAN. The gentleman is right when he says that the Maritime Administrator did say this, but he never brought anything before us as to whom he contacted and as to what efforts he really made to get someone to operate these as cruise ships. It was discussed but no evidence was presented to us along this line.

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

Mr. EVANS of Colorado. Yes, I yield to the gentleman from Rhode Island.

Mr. TIERNAN. Earlier in the debate it was pointed out that the operators of the *Santa Paula* and the *Santa Rosa* testified before the committee that they made 17 changes in trying to beef up the tourists attractions to passengers but that in 1969 that line lost \$1.3 million and it cost the Government in addition a subsidy of over \$500 per passenger and the company still lost \$104 per passenger.

It carried over 10,000 passengers in 1969. These are operators that are in this business to make money, they are not trying to lose money. But, in addition to them losing money we still had to pay them the subsidy for carrying the passengers.

Mr. EVANS of Colorado. I thank the gentleman for his response, which leads me to the second question:

It is my understanding that in 1 year we lost some \$18 million with regard to the operation of these ships which we

are now considering authorizing for sale.

Mr. TIERNAN. That is correct.

Mr. EVANS of Colorado. Then there was the figure of \$80 million that was mentioned to continue subsidizing.

Mr. TIERNAN. That is the estimate as to what it would cost to continue these passenger ships in the trade, to subsidize them so that they would break even—only to break even. That means that would be the additional amount that would be necessary to subsidize the operation of these seven vessels in passenger service.

Mr. EVANS of Colorado. Does the \$80 million represent any capital construction costs?

Mr. TIERNAN. No. This is just strictly the operating subsidy.

Mr. EVANS of Colorado. I thank the gentleman.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. Boggs) having assumed the chair, Mr. SMITH of Iowa, 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. 11589) to authorize the foreign sale of certain passenger vessels, pursuant to House Resolution 697, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

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.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mrs. SULLIVAN. 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 pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 253, nays 139, not voting 38, as follows:

[Roll No. 422]  
YEAS—253

Adams	Cabell	Dent
Aidabbo	Caffery	Dickinson
Anderson, Ill.	Camp	Dingell
Anderson, Tenn.	Carey, N.Y.	Dorn
Archer	Carter	Downing
Arends	Casey, Tex.	du Pont
Ashley	Cederberg	Dwyer
Aspinall	Celler	Eckhardt
Baker	Chamberlain	Edwards, Ala.
Bell	Clark	Edwards, Calif.
Bergland	Clausen,	Esch
Betts	Don H.	Fascell
Blackburn	Clawson, Del.	Findley
Blanton	Cleveland	Fish
Boggs	Collier	Fisher
Boland	Collins, Tex.	Flowers
Brademas	Colmer	Flynt
Brasco	Conable	Foley
Bray	Conte	Ford, Gerald R.
Brinkley	Crane	Ford,
Brooks	Daniel, Va.	William D.
Brown, Ohio	Davis, Ga.	Forsythe
Buchanan	Davis, Wis.	Fountain
Burke, Mass.	de la Garza	Fraser
Burleson, Tex.	Delaney	Frelinghuysen
	Dellenback	Frenzel

Frey	McKay	Roush
Fulton, Tenn.	McKevitt	Ruppe
Fuqua	McKinney	Ruth
Garmatz	Macdonald,	St Germain
Gibbons	Mass.	Sandman
Goodling	Mahan	Scherle
Gray	Mailliard	Schmitz
Griffin	Mann	Schneebeil
Griffiths	Mathias, Calif.	Schwengel
Grover	Matsunaga	Scott
Gude	Mayne	Shoup
Hagan	Meeds	Smith, Iowa
Haley	Melcher	Smith, N.Y.
Hamilton	Mikva	Snyder
Hansen, Idaho	Miller, Calif.	Springer
Harrington	Mills, Ark.	Staggers
Harvey	Mills, Md.	Stanton,
Hastings	Mizell	J. William
Hathaway	Mollohan	Stanton,
Heinz	Monagan	James V.
Henderson	Montgomery	Steele
Hillis	Moorhead	Steiger, Ariz.
Hogan	Morgan	Steiger, Wis.
Hosmer	Morse	Stephens
Howard	Mosher	Stratton
Hunt	Moss	Stubblefield
Jacobs	Murphy, Ill.	Stuckey
Jarman	Natcher	Talcott
Johnson, Calif.	Nedzi	Taylor
Johnson, Pa.	Nichols	Teague, Calif.
Jonas	O'Hara	Terry
Jones, Ala.	O'Konski	Thompson, Ga.
Jones, N.C.	O'Neill	Thompson, N.J.
Jones, Tenn.	Passman	Thomson, Wis.
Karh	Patten	Tiernan
Kastenmeier	Pelly	Udall
Kazen	Perkins	Ullman
Keating	Pettis	Van Deerlin
Keith	Peyser	Vander Jagt
Kling	Pickle	Vanik
Kluczynski	Pike	Vessey
Kuykendall	Pirnie	Vigorito
Kyl	Poage	Waggonner
Kyros	Poff	Wampler
Leggett	Powell	Ware
Lennon	Preyer, N.C.	Whalen
Lent	Price, Tex.	White
Lloyd	Purcell	Whitehurst
Long, La.	Quie	Whitten
Long, Md.	Quillen	Widnall
Lujan	Rees	Wiggins
McCloskey	Reid, N.Y.	Williams
McClure	Reuss	Wilson, Bob
McCollister	Rhodes	Winn
McCormack	Robinson, Va.	Wyatt
McCuulloch	Robison, N.Y.	Wydler
McDade	Rogers	Wylie
McDonald,	Rooney, N.Y.	Wyman
Mich.	Rooney, Pa.	Young, Fla.
McEwen	Rosenthal	Zion
McFall	Rostenkowski	

NAYS—139

Abernethy	Danielson	Kemp
Abourezk	Denholm	Koch
Abzug	Dennis	Landgrebe
Alexander	Devine	Latta
Anderson,	Donohue	Link
Calif.	Dow	McMillan
Andrews,	Drinan	Madden
N. Dak.	Dulski	Martin
Annunzio	Duncan	Mathis, Ga.
Ashbrook	Edmondson	Mazzoli
Aspin	Eshleman	Metcalfe
Badillo	Evans, Colo.	Miller, Ohio
Barrett	Flood	Minish
Begich	Gallifanakis	Mink
Bennett	Gallagher	Minshall
Bevill	Gaydos	Mitchell
Biaggi	Gialmo	Myers
Blester	Gonzalez	Nix
Bingham	Grasso	Obey
Bolling	Green, Oreg.	Pepper
Bow	Green, Pa.	Podell
Broomfield	Gross	Pucinski
Brotzman	Hall	Randall
Brown, Mich.	Halpern	Rangel
Broyhill, N.C.	Hammer-	Rarick
Burke, Fla.	schmidt	Roberts
Burlison, Mo.	Hanley	Roe
Byrnes, Wis.	Hansen, Wash.	Roncallo
Byron	Harsha	Roussellot
Carney	Hays	Roy
Chappell	Hechler, W. Va.	Roybal
Chisholm	Heckler, Mass.	Runnels
Clancy	Helstoski	Ryan
Clay	Hicks, Mass.	Sarbanes
Collins, Ill.	Hicks, Wash.	Satterfield
Conyers	Holifield	Saylor
Corman	Hull	Scheuer
Cotter	Hungate	Sebellus
Coughlin	Hutchinson	Seiberling
Culver	Ichord	Shipley
Daniels, N.J.	Kee	Shriver

Skubitz	Symington	Yates
Slack	Teague, Tex.	Yatron
Smith, Calif.	Thone	Young, Tex.
Spence	Waldie	Zablocki
Steed	Whalley	Zwack
Stokes	Wolff	
Sullivan	Wright	

## NOT VOTING—38

Abbitt	Edwards, La.	Michel
Andrews, Ala.	Ellberg	Murphy, N.Y.
Baring	Erlenborn	Nelsen
Belcher	Evins, Tenn.	Patman
Blatnik	Gettys	Price, Ill.
Broyhill, Va.	Goldwater	Pryor, Ark.
Burton	Gubser	Railsback
Byrne, Pa.	Hanna	Riegle
Davis, S.C.	Hawkins	Rodino
Dellums	Hébert	Sikes
Derwinski	Horton	Sisk
Diggs	Landrum	Wilson,
Dowdy	McClory	Charles H.

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Charles H. Wilson against.

Mr. Blatnik for, with Mr. Price of Illinois against.

Mr. Gettys for, with Mr. Diggs against.

Mr. Patman for, with Mr. Hawkins against.

Mr. Murphy of New York for, with Mr. Dellums against.

Mr. Sikes for, with Mr. Davis of South Carolina against.

Until further notice:

Mr. Sisk with Mr. Horton.

Mr. Abbitt with Mr. Belcher.

Mr. Rodino with Mr. Railsback.

Mr. Evins of Tennessee with Mr. Broyhill of Virginia.

Mr. Ellberg with Mr. Erlenborn.

Mr. Byrne of Pennsylvania with Mr. Riegle.

Mr. Burton with Mr. Goldwater.

Mr. Hanna with Mr. Gubser.

Mr. Landrum with Mr. McClory.

Mr. Pryor of Arkansas with Mr. Derwinski.

Mr. Andrews of Alabama with Mr. Michel.

Mr. Baring with Mr. Nelsen.

Messrs. ROONEY of New York, O'KONSKI, and SCHMITZ changed their votes from "nay" to "yea."

Messrs. ROY and HOLIFIELD changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### HOUR OF MEETING TOMORROW

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

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

Mr. HALL. Mr. Speaker, reserving the right to object, I wonder if we could get some expression from the majority leader as to the plans and program if this unanimous-consent request is acquiesced in.

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

Mr. HALL. I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, in reply to the inquiry of the gentleman from Missouri, first we plan to consider the rule on the District of Columbia appropriation bill today, but we will not consider the bill. It is our hope that if this request is granted, and we are able to come

in at 11 o'clock tomorrow morning, that we will consider both the District of Columbia appropriation bill and the supplemental appropriation bill tomorrow. In that event we will not have a session on Friday.

Mr. HALL. Mr. Speaker, further reserving the right to object, may I ask the distinguished majority leader if the fact that we do not plan to work Friday and Saturday will further our efforts toward reaching pell-mell an adjournment sine die? Can the gentleman give us assurances that our work in the House is caught up so that we can adjourn some time next week?

Mr. BOGGS. If the gentleman will yield further, I cannot assure the gentleman that we will adjourn some time next week, but I can assure the gentleman that, if we adopt the rule today and complete the work on these two bills, that we will be able to complete our scheduled work for next week. There are other matters that cannot be considered either Friday or Saturday of this week, matters such as the conference report on the tax bill, which is now in conference. I am informed that the conferees expect to conclude their work maybe tonight. It is a real long bill, and a very difficult bill. They have asked that they may have until Saturday midnight to complete their work on the report on the bill. Under the Rules of the House, the report must lay over for 3 days, so that we could not consider the conference report on that bill before the middle of next week at the very earliest.

Other matters still pending, and which are not ready for floor consideration, are matters such as the President's economic program. There is only one remaining regular appropriation bill, and that is the foreign aid bill, which we hope to dispose of next week.

Mr. HALL. Mr. Speaker, is it the opinion of the distinguished gentleman from Louisiana that if we do dispose of that next week that there will be a concerted effort on the part of the leadership of the House to force the other body to meet their original commitment and adjourn at least by the end of the next week, and I mean adjourn sine die?

Mr. BOGGS. I would say to the gentleman from Missouri that the leadership on the part of the House is doing everything possible to expedite the work of this body each day, and between now and adjournment. I, of course, would hope that we could conclude all of our work next week. I believe the House can.

Mr. HALL. Mr. Speaker, far be it from me to stand in the way of an adjournment sine die, on which we have waited much too long.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

#### RECOMMITTAL OF SENATE CONCURRENT RESOLUTION 6, PUBLIC HEALTH SERVICE HOSPITALS

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the conference

report on the Senate concurrent resolution, Senate Concurrent Resolution 6, be recommitted to the committee of conference.

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

There was no objection.

#### REQUEST TO CONSIDER S. 1163, AMENDING OLDER AMERICANS ACT OF 1965

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 1163) to amend the Older Americans Act of 1965 to provide grants to States for the establishment, maintenance, operation, and expansion of low-cost meal projects, nutrition training and education projects, opportunity for social contacts, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

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

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, and I should say I do intend to object, I ask the distinguished chairman of the Committee on Education and Labor—has his committee reported out a bill on this subject matter?

Mr. PERKINS. Mr. Speaker, let me say to the distinguished minority leader that the committee has not reported out a bill, but the subcommittee headed by our distinguished colleague, the gentleman from Indiana (Mr. BRADEMANS) has just conducted extensive hearings.

In the event that objection is heard and the bill is not to be considered today, we are going to report it out tomorrow from the full committee and consider it under suspension of the rules. I thought this would be a way to expedite consideration of the bill since that is the feeling of the members of the committee.

Mr. Speaker, as you know, the White House Conference on Aging is now in progress, bringing to our Nation's Capital thousands of older citizens and other delegates vitally concerned with the needs of 20 million older Americans.

I have just returned from the Conference and I had an opportunity to assure a large group of delegates of the concern of the Congress for their problems. I also assured them of my belief that the Congress will act as promptly as possible to implement the constructive recommendations they are making for effective programs to deal with their problems.

There is, indeed, one of these needs, an urgent one, on which we can act today.

Both Houses of the Congress have had extensive hearings on legislation to establish a nutrition program for the elderly. The testimony has confirmed the validity of the recommendation of the Panel on Aging of the 1969 White House Conference on Food, Nutrition, and Health, that:

The United States Government . . . now accept its obligation to provide the opportunity for adequate nutrition to every aged resident of the country.



Since that time a series of successful demonstration projects throughout the country have proven that a significant contribution to better nutrition for the elderly can be made through programs of group meals, providing good food in a stimulating social context. It has shown also that such a program can provide the focal point for a variety of recreational activities, health counseling, informational and referral services and other programs needed to meet the complex problems of the elderly.

Some of the pioneer programs have been discontinued because of the difficulty of obtaining local funding after Federal demonstration grants have been exhausted. But, in response to appeals from Members of the Congress earlier this year, the administration provided special funding to continue the existing 18 to 20 nutrition programs while the Congress considered the establishment of a workable national program.

Yesterday, the Senate approved such a program by a vote of 88 to 0. This program, incorporated in S. 1163, is substantially the program on which my committee has conducted extensive hearings over the last 2 years. I believe, therefore, that we are in a position to act immediately, by concurring in the action of the other body, to authorize now the establishment of a national program of better nutrition for the elderly.

S. 1163 would initiate, beginning with the fiscal year 1973, a 2-year program of grants to the States based upon the number of persons 60 years old and older in each State. Each State would be guaranteed no less than one-half of 1 percent of the total appropriation for the program, which would be authorized at the level of \$100 million for fiscal 1973 and \$150 million for fiscal 1974.

The Federal Government would provide 90 percent of the cost of this program and the States would carry out the program, in accordance with a State plan approved by the Department of Health, Education, and Welfare's Administration on Aging, through grants or contracts with local public agencies and nonprofit private institutions.

The legislation amends the Older Americans Act of 1965 by creating a new title to authorize grants to the States for the purpose of providing low cost, nutritionally sound meals to persons 60 years of age or older and their spouses. Participating States must designate a single State agency to administer and coordinate the nutrition program in the State and may utilize up to 10 percent of their allotment for administrative costs.

The States would be required to give preference, in making grants or awarding contracts, to projects which would serve primarily low income persons. Their plans also assure that, to the extent feasible, projects will be operated which will meet the needs of minority, Indian and limited English-speaking persons in proportion to their numbers in the State.

Each project would be required to provide at least one hot meal on five or more days per week, and each meal must provide at least one-third of the daily dietary requirements as established by the Food and Nutrition Board of the Nation-

al Academy of Sciences. The projects would be eligible for and would be encouraged to use surplus agricultural commodities in their meals programs.

Recipients of a grant or contract would be required to provide a conveniently located site for the program, would be required to engage in an outreach program to bring in eligible persons, and would be required to afford supportive services such as recreational activities, health and welfare counseling, and informational and referral services, where they are not otherwise available. Where appropriate, home-delivered meals would be provided for the homebound and transportation would be provided where this might be necessary.

Mr. GERALD R. FORD. Mr. Speaker, let me say to my friend, the gentleman from Kentucky, that at least we would have an opportunity to see the bill reported by a House committee under that procedure and we would at least get 40 minutes of debate under that procedure, with some forewarning that the legislation was coming to the floor of the House.

As I understand the other body passed the bill yesterday and you want to bring it up under unanimous consent today without any forewarning to the membership as a whole. The Chairman did call me this morning—which I appreciate but which I do not think is adequate notice to the other 433 Members of the House.

Mr. PERKINS. Before the gentleman from Michigan objects, if he will yield further.

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. PERKINS. The distinguished minority leader knows that the bill passed the other body by a vote of 88 to 0—zero. I do not know of any opposition in the Chamber to this legislation and I thought it would just expedite the procedure all the way around if we could get it out of the way.

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

Mr. GERALD R. FORD. If I may respond to the gentleman's comment about the desirability of doing what the other body did—just because 88 of them voted unanimously. It might be that 88 of them were wrong in this case. I am not about to make this a unicameral legislative body, and I do not think the gentleman from Kentucky wants to follow that procedure.

Therefore, Mr. Speaker, after I yield to my friend from Indiana, I intend to object.

Mr. BRADEMAs. Mr. Speaker, if the distinguished minority leader will yield, and I appreciate his yielding, I would like only to supplement the plea of the distinguished chairman of the committee, the gentleman from Kentucky (Mr. PERKINS) and observe that the major theme of the White House conference on aging, which will adjourn tomorrow, has been that it is time to stop the speeches and start the action for the older people of our society. If the House of Representatives were today, with broad bipartisan support, as did the other body yesterday, to agree to the passage of this legislation to provide nu-

tritional programs for older Americans, it would be the finest possible demonstration that the House of Representatives is responding to the oft repeated pledge of the Chairman of the White House Conference on Aging, Dr. Arthur Flemming, that the conference would be preceded by "vigorous and effective action" for the aging, and that the conference would not be simply more speeches and resolutions.

So I hope the distinguished minority leader will reconsider what he has in mind and that he will not object to action today on the nutrition for the elderly bill.

Mr. GERALD R. FORD. I can only comment that this is almost the 12th month of opportunity for the Committee on Education and Labor to conclude its hearings and to bring forth a bill on this subject to the floor of the House. It is too bad that there was not greater urgency in the committee prior to the on holding of the White House Conference on Aging. It is too bad that there was this dilatory action that now seems to require some expediting merely to take a piece of paper up to the Conference and say, "Look what we have done."

I was hoping that the urgency of this legislation would have been far more obvious and we could have had good legislation on this subject through the House in the regular way by this time.

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

Mr. GERALD R. FORD. I yield to the gentleman from Iowa.

Mr. GROSS. Apropos the remarks of the gentleman from Indiana regarding Dr. Flemming, it has been my observation over a number of years that Dr. Flemming has made a good many speeches in the past and I expect he will make a lot of speeches in the future.

Mr. HALL. And he usually has had his hand out.

Mr. GROSS. Yes; that is right.

Mr. BRADEMAs. Mr. Speaker, will the gentleman yield further?

Mr. GERALD R. FORD. I yield once more to the gentleman from Indiana.

Mr. BRADEMAs. I thank my colleague.

I hope, Mr. Speaker, that my distinguished friend, the minority leader, will reconsider the potential significance of his phrase, "the staging of the White House Conference." I am one of those who have expressed the hope that the White House Conference will mean bipartisan support for action for the aging and not just rhetoric. Now we have an opportunity to act. I hope, therefore, that the distinguished minority leader will not stand in the way of action for the aging. For, if he does, it will make it abundantly clear that the White House Conference on Aging has, indeed, been "staged" for the political benefit of the administration and little else.

Indeed, Mr. Speaker, I am constrained to confess that I am distressed—but not astonished—that the distinguished Republican leader of the House of Representatives should now be objecting to action today by the House of Representatives to approve this legislation so crucial to the lives of older people of America.

For, Mr. Speaker, way back in 1935, the principal opponents to President Franklin Roosevelt's social security proposal came from Republicans while the principal supporters for that historic measure to make life better for retired persons came from Democrats.

Over a generation ago, then, Democrats were working hard for programs to benefit the older citizens of this land; and Democrats are still working hard in Washington to forward that objective.

And, Mr. Speaker, only a generation ago, Republicans were working against programs to benefit the older citizens of this land; and Republicans are still working hard in Washington against such programs. The minority leader's action today to block House approval of the nutrition program for the elderly is a prime example of this attitude of hostility to action for the aging.

Mr. Speaker, I have the honor to be the chairman of that subcommittee of the House of Representatives with jurisdiction over the Older Americans Act of 1965 as well as over a number of other programs relating to the elderly, and I therefore take this opportunity to comment on the wide gulf between the rhetoric of the Nixon administration on the problems of the aging and the actions of the administration.

Mr. Speaker, the Census Bureau reports that there are today over 20 million Americans 65 and over, and by 1990, there will be over 27 million elderly in the Nation. For while the total U.S. population has tripled, the older population has increased sevenfold.

All of us here are aware of the needs of the elderly in American life—adequate retirement income, decent health care, sound nutrition, recreational and community service opportunities, housing, transportation, education and employment—to cite only the most obvious.

Tomorrow the White House Conference on Aging, called by President Nixon and meeting here this week in the Nation's Capital, will adjourn.

Mr. Speaker, the "staging," to use the revealing words of minority leader Ford in describing the White House Conference on Aging, when measured by the action of the Republican leader of the House today, is a dramatic symbol of the gap of which I speak, the gap between words and deeds.

So let us now review the record of the Nixon administration on problems of the aging.

For, I think you will all agree, in a democracy like ours, it is essential—if Government is to be responsible and responsive—to compare the promises of candidates with their performance once in office—and this requirement includes not only Congressmen and Senators but Presidents as well.

It was, I remind you, at a convention of the National Retired Teachers Association and the American Association of Retired Persons in Chicago, Ill., that, on June 25, 1971, President Nixon declared that:

The generation over 65 is a very special group which faces very special problems—it deserves very special attention. That is why we have been moving to insure that our

older citizens get that special attention that they deserve.

These eloquent words were an echo of the words with which nearly a year and a half ago, on April 9, 1970, President Nixon, proclaimed May as Senior Citizens Month and issued a call for a national aging policy.

Said the President:

For too long we have lacked a national policy and commitment to provide adequate services and opportunities for older people.

Let us then make a judgment, during this week of the White House Conference on Aging, on the extent to which President Nixon has—or has not—fashioned a national policy and commitment to provide adequate services and opportunities for older people.

Let us compare the rhetoric with the action, which is exactly what Richard Nixon, just 3 years ago, on October 22, 1968, urged, in a nationwide radio address when he said:

For my part, I will make this pledge. I will never promise what I cannot deliver.

So let us look at the record.

#### RETIREMENT INCOME

Mr. Speaker, take the issue of retirement income. You and I know that inflation is the continuing enemy of the aging citizen, hitting older persons harder than those of any other age group.

Many of us in the last Congress championed a 15-percent increase in social security benefits. But Mr. Nixon said, "No," asked for only 7 percent and even went on to threaten a veto of the 15-percent hike recommended by the House Ways and Means Committee. Only the fact that the 15-percent increase was made part of the tax reform bill, which the President badly wanted, caused him to sign the bill containing the 15-percent figure.

That the administration should now claim credit—as it has attempted to do—for the 15-percent rise in social security benefits is therefore little short of hypocrisy.

#### NUTRITION

Mr. Speaker, we have today been discussing the area of nutrition. In October 1969 the White House Conference on Food, Nutrition, and Health recommended programs of adequate nutrition for aged citizens and called for developing a new system of food delivery for them.

And President Nixon's own Task Force on Aging in April 1970 urged him to direct the Administration on Aging and the Department of Agriculture to develop nutritional programs for the elderly.

Yet earlier this year, when our Select Education Subcommittee, following through on these recommendations, held hearings on legislation introduced by our distinguished colleague, the gentleman from Florida (Mr. PEPPER), and the distinguished senior Senator from Massachusetts (Mr. KENNEDY) to establish a nutritional program for the elderly, what was the response of the administration of Richard Nixon? I can tell you. The answer was "No."

That beleaguered Presidential appoint-

ee, the Commissioner on Aging, John Martin, told our subcommittee that the administration was opposed to the Pepper-Kennedy bill but would come up with another proposal. We are still waiting—but I am not holding my breath, and I do not think the older citizens of America who need low-priced nutritional meals should do so, either. Happily, the Senate yesterday, by a vote of 89 to 0, passed the bill establishing nutritional programs for the elderly. Unhappily the objection of the Republican leader of the House has blocked similar action today by the House.

#### NURSING HOMES

Mr. Speaker, let me turn to another area of concern to America's elderly. You may have read the President's recent bold pronouncement against the shortcomings of substandard nursing homes. The Federal Government should not, he said, subsidize such homes with Federal funds such as Medicaid.

Yet you and I know that the Federal Government even today continues to pay vast sums to nursing homes which fall far short of meeting the requirements of the 20th century. So the talk sounds fine, but the action is missing.

What we need, if there is a genuine determination to do something about substandard nursing homes in this country, is less Presidential rhetoric and more Presidential action to enforce Federal regulations in all nursing homes receiving Federal funds.

Or let me remind you that in his 1968 campaign, Mr. Nixon pledged to sponsor restoration of full deductibility of medical expenses of those aged 65 and over. Well, let me tell you something: On Capitol Hill, we are still waiting for his proposal.

#### ADMINISTRATION ON AGING

Mr. Speaker, perhaps the most obvious symbol of how this administration has been long on rhetoric about helping older Americans but scandalously short on action has been the vigorous way in which the administration has fought to weaken and cripple the agency which both Democrats and Republicans in Congress joined to establish 5 years ago to assure high level attention in the Federal Government to the problems of the elderly.

I speak, of course, of the Administration on Aging, created in 1965 in the Department of Health, Education, and Welfare, to be headed by a Presidentially appointed Commissioner, who would report directly to the Secretary of Health, Education, and Welfare.

What has Mr. Nixon done to make good on his promise to give "very special attention" to the "very special group" known as "the generation over 65"—and you will, of course, observe that I am simply here quoting the words of the President.

Time after time this year, the Nixon administration has acted to strangle the Federal agency most directly concerned with the needs of America's senior citizens, the Administration on Aging.

Earlier this year, the research function of the Administration on Aging was transferred away from it to the Social and Rehabilitation Service.



Then, Mr. Speaker, the administration removed both the foster grandparents and the RSVP—retired senior volunteer program—from the Administration on Aging to place them in a new agency, which is not chiefly concerned with problems of the elderly.

And then the President moved to eviscerate the important program of the Administration on Aging for community projects for the elderly by cutting \$3.65 million from the budget for them, slicing \$3 million off the budget for foster grandparents, and by slashing another \$2.15 million for research and training of personnel concerned with aging.

Were these actions taken, one must ask, in order to make good on the President's plea for "a national policy and commitment to provide adequate services and opportunities for older people"?

Mr. Speaker, I am pleased to tell you that, on learning of these proposed budget cuts, I immediately convened the Select Subcommittee on Education to demand an explanation from administration officials of these extraordinary actions.

I am still more pleased to tell you that, in responding to our bipartisan criticism of this further administration retreat from responsibility, Secretary of Health, Education, and Welfare, Elliot Richardson, announced the following month that the budget of the Administration on Aging would be amended to continue both community projects and foster grandparent programs at the current fiscal year funding level. The Secretary also agreed to restore funds for research and training and to request an increase of \$1.2 million above the amount originally asked for in fiscal year 1972 for area-wide model projects for the aging.

#### HOUSING

Or, Mr. Speaker, what about housing for the elderly? It is true that over the past 10 years, the Federal Government has opened housing programs for the elderly that have produced an average of 37,000 new units annually.

But we need at least 120,000 such units a year. There is only one program that has produced a substantial number of decent homes at rates that older persons can afford—section 202 of the Housing Act, which provides direct loans at nominal interest rates to nonprofit sponsors of housing for the elderly. And what is the administration doing? It is phasing out the program.

#### EMPLOYMENT OPPORTUNITIES

You and I know that another problem that afflicts many middle-aged and older persons today is the lack of employment opportunities.

That is why many of us in Congress favor a proposal known as the Older Americans Community Service Employment Act, which would help assure a chance for useful and constructive jobs.

And Mr. Speaker, what did the spokesman for the Nixon administration have to say about this? Once again, Commissioner Martin was sent to Capitol Hill to testify against the bill, "in view of activities which are currently being carried out under present law, proposals pending before Congress and legislation being de-

veloped for early submission to Congress". Does the theme begin to sound familiar?

And I can cite still more examples of the policy of this administration of consistent opposition to effective action for America's elderly.

#### MEDICARE-MEDICAID

The administration has recommended a one-third cutback in Federal medicaid matching after a medicaid patient had received 90 days of care in a nursing home or mental hospital or 60 days in a general hospital.

The administration is proposing, as part of its comprehensive health package this year, to combine medicare parts A and B and increase medicaid copayments. In other words, the older patient pays more.

And of course, the President struck another serious blow at older citizens when several weeks ago, in imposing the wage-price freeze, he called for a 1-year delay in welfare reform—which of course means a 1-year delay in social security increases.

Mr. Speaker, I hope that what I have been saying today will enable those concerned with problems of the elderly better to understand why so many of us in Congress are so profoundly skeptical of the pretensions and promises of the Nixon administration in the field of the aging.

#### ACTION OR RHETORIC?

And I hope that it will be clearer why many of us in Congress have come to the point where we are far less interested in hearing the speeches of administration officials about how deeply they are concerned about the problems of older Americans—and why we are far more interested in seeing the evidence of genuine commitment, both to programs and to money, to help meet these problems.

Mr. Speaker, it was only a few weeks ago, I remind you, that the distinguished Chairman of the White House Conference on Aging, Dr. Arthur Flemming, the former Secretary of Health, Education, and Welfare and a man for whom I have the highest respect, appeared before my subcommittee to make us still another promise. Said Dr. Flemming:

The President has talked with me about his deep concerns regarding this issue, (the problems of aging) and, as a result, I have no hesitancy in saying that between now and the time for the White House Conference, the nation will witness vigorous and effective action in this area.

I must remind Dr. Flemming that his time is running out. He testified before us on September 22. Today is December 1. The White House conference ends tomorrow, December 2.

Mr. Speaker, if there has been vigorous and effective action for older Americans on the part of an administration which is usually not reticent about trumpeting its accomplishments, there is precious little evidence of it.

I was present at a meeting of retirees last month when Dr. Flemming reminded us of the Biblical admonition, "Thou shalt love thy neighbor as thyself"—but I must add—that under this administration the commandment has been

changed to read, "Thou shalt love thy neighbor as thyself . . . provided that the Office of Management and Budget says it is all right to do so."

#### TOO MUCH SPENDING ON THE ELDERLY?

And somehow, I regret to tell you, I am not surprised. For if Dr. Flemming had proved right in his prediction, it would mean a notable change from the previous record of this administration on problems of the retirement generation. It was, indeed, in 1969 that the administration gave vent to its true feelings on problems of the aging—in the words of the then Secretary of Health, Education, and Welfare and now Counselor to the President, Robert Finch, who made his view very clear—that the Federal Government spends too much on programs for the elderly.

Said Secretary Finch:

This relative imbalance (between expenditures for the elderly and expenditures for the young) has been expanding with the increase over the last ten years for the aged.

Mr. Finch of course ignored the fact that the increases in funds for the aged largely represented payments under social security, payments contributed by workers and employers and not by the Federal Government.

And Mr. Speaker, I here cannot resist quoting Secretary Finch on April 9, 1969 when he said:

I'd like to see a great chunk of resources put in at the lower end of the aged spectrum and hold it at the top end.

For I speak not only as a cosponsor of the Older Americans Act but a principal sponsor of the Comprehensive Child Development Act, now awaiting final action by Congress, a bill aimed at providing the most important advance for very young children in a decade. Is the administration of Richard Nixon, which now employs Mr. Finch in the White House supporting this effort to increase the resources at the lower end of the age spectrum?

Not at all, for White House lobbyists have been threatening a veto of this child day care program, too. In other words, the administration is saying "no" to both the youngest and the oldest of our society.

#### NOT RESOLUTIONS, BUT ACTION

So where does this all leave us?

Mr. Speaker, I still hope that Dr. Flemming proves right and that the White House Conference on Aging will be fruitful, but I must here observe that the success of the conference must be judged not by the resolutions it produces but by the action it causes on behalf of the older people of our country.

And I believe that every older American has the right to ask if the 1971 White House Conference on Aging is to be either a genuine prelude to effective action, or if it is to be nothing more than a political coverup for this administration's continuing opposition to congressional initiatives to improve social security benefits, housing, health care, nutrition, and other programs crucial to the lives of the elderly.

Sadly, only today, we have seen—in the blocking by the Republican leader of the

House of a vote on the nutrition for the elderly program—the latest instance of this opposition.

But I believe the time has come for action—and I believe that many Members of the U.S. House of Representatives and Senate—of both parties—share this conviction.

That is why a Select Education Subcommittee has already held hearings here in Washington, D.C. in Chicago, in New York City, in Boston, and will continue them elsewhere in the Nation in coming months—to hear the views of representative citizens on the problems of the elderly and on effective ways of coping with those problems.

As we continue our hearings, we shall, by way of carrying out our congressional oversight responsibility, listen to comments on how the Nixon administration is implementing the demonstrated intent of Congress with respect to Federal programs to benefit the elderly.

#### ADMINISTRATION SABOTAGE OF OLDER AMERICANS PROGRAMS

Is this administration trying to make these programs work, or is it seeking rather to sabotage them?

Mr. Speaker, members of our subcommittee will also seek to obtain ideas and suggestions for legislation to assure not a piecemeal approach to problems of the aged but instead to consider whether the time has now come to provide comprehensive services for the older citizens of our society.

Indeed, Mr. Speaker, I am glad to say that legislation to make available such services will be introduced tomorrow by 10 members of the House Committee on Education and Labor.

Following is a list of the initial sponsors of the comprehensive older Americans services bill: JOHN BRADEMANS, of Indiana; CARL D. PERKINS, of Kentucky; PATSY T. MINK, of Hawaii; LLOYD MEEDS, of Washington; JAMES H. SCHEUER, of New York; JOSEPH M. GAYDOS, of Pennsylvania; WILLIAM "BILL" CLAY, of Missouri; SHIRLEY CHISHOLM, of New York; ELLA T. GRASSO, of Connecticut; and JOHN DENT, of Pennsylvania.

Mr. Speaker, some may think that I have been too harsh in my criticism of the present administration with respect to its policy regarding older citizens. Yet I believe most Members would agree that if Government in modern America is to be credible, if the people are to have any respect at all for the solemn declarations made by those whom they have elected to serve them in the highest positions of responsibility, then those of us who share in that responsibility—as we in Congress do—must speak out when we see such yawning gaps between promise and performance as have characterized the record of the administration of Richard Nixon and of many leaders of the Republican Party in dealing with problems of the elderly during the nearly 3 years which it has held office.

Listen to these words:

From its beginnings, the American nation has been dedicated to the constant pursuit of better tomorrows. Yet, for many of our 20 million older Americans the "tomorrows" that arrive with their later years have not been better. Rather than days of reward,

happiness, and opportunity, they have too often been days of disappointment, loneliness, and anxiety. It is imperative that this situation be changed.

Those moving words were uttered on April 20, 1971 by President Nixon as he proclaimed Senior Citizens Month.

Mr. Speaker, let us all help the President make good on his promises.

That is why it is imperative that those of us who are concerned about problems of the aging discuss the Nixon administration's policy of inaction and opposition to programs for the elderly.

And that is why we must continue to work for constructive programs of action and a greater commitment of funds for programs that benefit the older people of our land.

Mr. Speaker, let me conclude these remarks with some words of a great American, on whose staff I once had the honor to serve for nearly a year, the late Adlai E. Stevenson.

Said Mr. Stevenson:

What a man knows at 50 that he did not know at 20 is, for the most part, incommunicable. The knowledge that he has acquired with age is not the knowledge of formulas or forms or words, but of people, places, action—a knowledge not gained by words but by touch, sight, sound, victories, failures, sleeplessness, devotion, love—the experiences and emotions of this earth and one's self and of other men and perhaps, too, a little faith and a little reverence for the things you cannot see.

Mr. Speaker, the kind of knowledge, the kind of faith, the kind of reverence which characterizes the older people of our society is much too scarce and much too precious in this great and wealthy Nation of ours to be either wasted or, perhaps worse, ignored.

The time has come then—the time is now—for a genuine commitment—not of words, but of deeds—to lifting the quality of life of the older citizens of the United States.

Mr. Speaker, the time has come for less talk about, and more action for, the aging of America.

Mr. Speaker, I insert at this point in the RECORD a number of recent articles and reports concerning problems of the aging:

[From the Washington Post, Dec. 1, 1971]

NIXON AIDES DRAW CRITICISM IN TALKS AT AGING CONFERENCE

(By J. Y. Smith)

President Nixon sent four cabinet officers and four other top administration officials to the White House Conference on Aging yesterday to explain some of his programs for the nation's 20 million elderly citizens.

Some of the officials' remarks drew prompt and sometimes harsh criticism from some experts among the 3,500 delegates to the meeting, which began Sunday.

Mr. Nixon himself is expected to address the gathering before it closes Thursday. Presumably, he will make further proposals to help the aged.

Elliot L. Richardson, the secretary of Health, Education and Welfare, told a luncheon meeting that 37 states (including Maryland) and the District of Columbia have been put on notice that they have until Feb. 1, 1972, to correct "substantial deficiencies" in their nursing homes.

If they fail to do so, he said, "HEW intends to initiate a non-compliance procedure that could ultimately result in withholding all

federal Medicaid funds from any or every one of the 38 states."

There are about 20,000 nursing homes in the United States, a HEW official said later. He said only about 7,000 of these, which provide substantial amounts of care, would be affected by the HEW action.

Richardson said the deficiencies in nursing homes had been discovered through a series of spot checks of state agencies responsible for ensuring that nursing homes participating in Medicaid, a federal-state program, meet federal standards for such facilities.

The secretary said he was determined to carry out President Nixon's pledges of last summer to make sure that nursing homes will no longer be "warehouses for the elderly . . . dumping grounds for the dying."

George Romney, the secretary of Housing and Urban Development, spoke at the same luncheon. He told the delegates that public housing for the elderly had increased from 80,000 units to 320,000 units in the past decade.

He also repeated a theme sounded at the conference's opening session by Dr. Arthur S. Fleming, its chairman and a former Secretary of HEW in the Eisenhower administration.

The theme was a call for "increased voluntary action to provide services for the elderly."

"Self help," said Romney, "is vital."

Richardson and Romney drew some of the sharpest criticism from conference delegates.

Dr. James G. Haughton, director of health and hospitals in Cook County (Chicago) and a co-chairman of the conference committee on health, said many delegates with whom he had talked greeted Richardson's speech with "mixed reactions."

"There was considerable support for federal standards for nursing homes," he told a news conference, "but there were questions about the timing. Some thought this (speech) might be a political ploy to divert attention from the real issues facing this conference."

Haughton explained that the "real issues" were the "quality of care" provided the elderly. Richardson's proposals about nursing homes, he said, were confined merely to the physical standards of the facilities. Haughton said he would like to see the federal government develop programs to help pay for bringing facilities up to par and also to help pay salaries that would attract the best qualified persons to staff them.

Dr. Jean Mayer, former adviser to President Nixon on nutrition and co-chairman of the conference committee dealing with that subject, lit into Romney's remark that "self help is vital."

"What the hell does that mean," said the Harvard professor, "when you are talking about someone who is arthritic, who is deaf, who is partly blind, whose children have moved away, and who is not properly covered by Social Security."

Mayer said a start toward persuading the elderly to engage in "self help" would be to establish communal meal programs to provide them with a proper diet, with companionship, and with intellectual stimulation.

Others who spoke yesterday were John A. Volpe, the secretary of Transportation; James D. Hodgson, the secretary of Labor; Robert M. Ball, commissioner of the Social Security Administration; John D. Ehrlichman, assistant to the President for domestic affairs; Virginia Knauer, adviser to the President on consumer affairs, and Leonard Garment, special consultant to the President.

Secretary Hodgson said the "specialized needs" of the elderly unemployed "may mean specialized help for unemployment problems. And it may mean specialized kinds of manpower programs to meet special job needs."



Hodgson said it also may mean "more concentration on the local government level than in the past."

Nelson H. Cruikshank, a retired AFL-CIO official, a member of the conference planning committee and president of the National Council of Senior Citizens (which claims more than 3 million members), called Hodgson's speech "the coldest thing I've heard yet. He gave us all the reasons why the Department of Labor can't do more in the category of the aged."

[From the Washington Star, Dec. 1, 1971]

#### MORE HUNGER AID FOR AGED URGED

(By Judith Randal)

Progress has been made against hunger in the last two years, but the elderly, as usual, have been left behind.

This is the view of Dr. Jean Mayer, the Harvard professor who ran the White House Conference on Food, Nutrition and Health in 1969 and now is the chairman of the nutrition section of the White House Conference on Aging.

The sort of action that is needed, Mayer said, is exemplified by the Nutrition for Older Americans bill that passed the Senate 88 to 0 yesterday. Sponsored by Sens. Edward M. Kennedy, D-Mass., Charles H. Percy, R-Ill., and 19 others, it would provide \$250 million over a two-year period for meals-on-wheels for shut-ins, community feeding programs and related projects such as nutrition education.

#### PROGRAMS DIE

In an interview, Mayer said these were 74 experimental programs along these lines which were financed by the Department of Health, Education and Welfare in 1970, and he described them as "a thundering success." All but 12 have been killed for lack of funds, he said.

Meanwhile, Mayer said, the government should look at Medicare and Medicaid from the standpoint of nutrition.

"The services of chiropractors and Christian Science practitioners are reimbursed under these programs, but dietetic consultation is not," he said. "Nor will the government pay for dentures which many old people need in order to eat a balanced diet."

Mayer also was critical of the Department of Agriculture's methods of getting foods to the elderly poor. He said that of the 3,000 counties in the nation, 800 rely on the distribution of surplus commodities instead of food stamps.

Food stamps are federally subsidized coupons which permit the recipient to buy more than his money's worth of groceries at stores. In the surplus commodities program, recipients periodically pick up an allotment of a limited number of foods at a central distribution point.

Under the commodities program, said Mayer, old people, many of whom live alone or in two-person families, have to contend with bulk quantities of food that are hard to transport or keep. When meat is supplied, for example, it comes in 30-ounce cans whose contents may spoil before they can be consumed. Furthermore, many of the products that are made available are too high in fats and carbohydrates to be healthy for the old.

While USDA's food stamp program is far preferable, said Mayer, it too has its pitfalls. For example, the subsidy for a four-person family is far greater proportionately than it is for a couple or for someone who lives alone.

"When will the Department of Agriculture learn," he asked, "that there are 15 million people dependent on it for their daily bread, but only 4 million farmers?"

#### TWO MEALS SUFFICE

Mayer would like to see the elderly be able to use food stamps in restaurants as well as in grocery stores, and he wants res-

taurants to offer old people reduced price meals at off-peak hours.

Only about 30 percent of the price of a restaurant meal, he said, goes toward the price of food. Most of the rest is for the labor of people who have little to do for most of the day. Thus, he said, restaurants could well afford to reduce their prices during slack periods. A cafeteria chain in Boston already is selling regular menu items at a 30 percent discount between 10 and 11:30 a.m. and 2 and 5 p.m.

[From the Washington Post, Nov. 28, 1971]

#### WHY ARE THE OLD PUT ON SHELVES?

(By Colman McCarthy)

Everyone wants to live a long life, but there is one trouble—you have to grow old to do it. For many of America's 20 million citizens who make it past 65, the trouble is hardly worth it. Unless you are rich or have especially devoted children, chances are that old age may be a time of anguish, loneliness and sadness, worse for some than others. Perhaps the greatest torture of being old is that one must go about it surrounded by products and services that are ever new and ever fresh. Last year's model, last year's fashion, last year's wardrobe—this feverish custom of discarding what in many cases is only slightly old leads naturally to a throwaway mentality. Thus, easily put out of sight and out of mind are last year's people, the old.

The White House Conference on Aging, beginning today and running through the week, will likely have much to say on the cruel ways in which old people are neglected by the government and by institutions. But this running tragedy is not so much a planned horror as it is a reflection of a deep-set attitude. Along with racism and sexism, there is now "oldism," an intolerance of people too slow, too wrinkled and too tired for the American pace. Dr. Robert Butler, a Washington psychiatrist and one of the few in the country who practices "life-cycle therapy," believes a strong feeling exists "of not wanting to have all these ugly old people around."

How has this happened? Since abandoning another human being is not a natural instinct, the reason may be cultural. It is regularly pointed out, to the point of fatigue, that America is obsessed with the young, a fudge of idolatrous concern that thickens with each new fad. But saying the country is over-fascinated with a youth cult is only part of it, and even then it is inaccurate; if we care so much about kids, why must educators constantly beg for money, why are school lunch programs left unfunded, why are stores allowed to sell flammable sleepwear for children?

The deeper cultural reality that allows the old to be the nation's resident castoffs is that American values have been largely shaped by both the Calvinist mystique of achievement and the American frontier notion of self-reliant individualism. These two creeds naturally exclude the elderly because old men and old women are seen as no longer achieving and no longer self-reliant. They are non-producers who should be stripped of their "we try harder" buttons; after that, what else can be done but stash them on a shelf? As Dr. Robert Butler has noted, "Our society serves the productive. We view ourselves as an organism that can all too easily dispense with its parts, which are subject to facile replacement. Most of our national policy decisions are economic and technological rather than moral. The Office of Management and Budget decides. There is a Gross National Product, however important, that is closely watched but there is no Human Value Index."

If putting away old people—removing them from budget priorities, from family circles—fits in well with the American way, it is also true that this wasn't always the

case or style with all Americans. One can visit ethnic families in the Northeast industrial towns—Italians, Poles, Slovaks, Greeks and others—and inevitably an old person is found to be an honored and wanted member of the family. Unlike others, many ethnics insist on keeping the parents and grandparents in the main path of travel, if only because the young know that one day they must go that way, too.

If you are kind to your parents, Irish children are told, you will have a long life. But keeping to this tradition of respecting the old is not easy for ethnic Americans. Professor Michael Novak, soon to publish a book on ethnics ("The Rise of the Great Unwashed" from Macmillan), has written: "One of the more poignant prices ethnics had to pay to become Americanized was to learn not to care for one's parents or grandparents, to learn that life belongs most to those between the ages of 15 and 50. In the public schools, the ethnic child was taught to make fun of one's parents and grandparents—their accents, their gestures, their values. 'Old fashioned' became a word used not for the respect due to wisdom but for contempt due to inferiority or being different from Wasp America. It was silly to care for one's aging parents, to put up with their complaints, customs and needs. 'The American way' was to ship off the old folks to some sanitized rest home; but most ethnic people couldn't quite bring themselves to do that. For cattle maybe, but not for one's parents. The solution often was to find some small apartment, a separate room, in which the old folks could live in some compromised way, not quite in the center of the family as their parents had been, but assuredly not institutionalized as 'the Americans' were."

A word and concept now in heavy use is "community." Real estate men no longer build developments, they create communities, the young go off to found communes. But this talk of community is strange; how can you have a common unity when no place is given to the elders of the tribe. "Traditionally," Nathan W. Shock, head of NIH's Gerontology Branch, has said, "the older person in the community had a role in that he had lived longer, he therefore had more experience, he was wiser . . . he knew where the tigers were in the jungle."

The sources of this tradition are easily found, even without going to the East where the old have always been revered. In the 6th century Rule of St. Benedict, for example, one of the earliest charters for community living, the fathers and brothers of the monastery are told in chapter 37 that the old are worthy of special treatment. "Although human nature itself inclines us to show pity and consideration to the old . . . still it is proper that the authority of the Rule should provide for them. Let their weakness be always taken into account, and let the full rigour of the Rule as regards food be in no wise maintained in their regard. There is to be a kind consideration for them, and permission is to be given them to anticipate the regular hours." Even today, in the many European and American Benedictine monasteries and convents, old members of the community are cherished and honored for their wisdom.

These are rare enclaves of charity, however, and the spirit of compassion has not spread. But it persists at least. In the end, the main impact of this week's White House Conference on Aging must be less on American politicians or programs than on American values—the principal source of many of the elderly's sufferings. Some of these are inevitable, the results of sickness or family scattering. But many are not; they are caused by a value system that plays down filial respect while playing up much that is passing and cheap. In a recent book on the elderly, French writer Simone de Beauvoir asked, "What should a society be like

that in his old age a man can remain a man?" The answer: "He must always be treated like a man."

This is not an easy goal, neither for wide-open conferences nor for closed-up minds. But if it is true that every country is entitled to a few mistakes, then perhaps we are now coming around to recognizing one. America, compared with other countries, is still young—exactly the time to see that the realities of aging do not become the horrors of aging.

[From the Washington Post, Nov. 28, 1971]  
THE GROWING MINORITY: 20 MILLION U.S. ELDERLY

(By J. Y. Smith)

They number 20 million, and they are the fastest growing minority group in the nation. A quarter of them live below the poverty level, yet they spend \$60 billion a year. They cast more ballots than any other minority group: although they make up only 10 per cent of the population, they accounted for 17 per cent of the votes in the 1970 elections.

They are the elderly, those Americans who are 65 or older.

Despite their numbers, despite their economic and political power, despite the fact that most Americans now alive can expect to live long enough to become "elderly," it is a group whose problems escape the notoriety accorded those of other minorities.

For the next five days, however, the elderly will receive considerable attention. The vehicle will be the second White House Conference on Aging, which opens today with the registration of 3,400 delegates from all over the country.

The conference comes at a time when talk is as cheap as ever and the cost of action is going up and up.

Dr. Arthur S. Flemming, conference chairman and a former Secretary of Health, Education and Welfare in the Eisenhower administration, is aware of this. But he expresses confidence that the conference will, in fact, lead to meaningful programs for the elderly.

"I can't help but believe that conditions are on the plus side as far as older persons are concerned," he said recently. "This conference reflects a willingness on the part of some segments of society for substituting action for rhetoric."

If rhetoric is translated into action, it will probably be because of the enormous political potential of the elderly. Some experts believe John F. Kennedy's hairsbreadth victory over President Nixon in 1960 was due to the fact that Kennedy endorsed Medicare while Mr. Nixon did not.

#### NEW PROGRAMS EXPECTED

The White House is said to be keenly aware that about 70 per cent of the over-65 group vote. Flemming has indicated that President Nixon plans to unveil major new programs for the elderly during the course of the conference.

For himself, Flemming, 66, has repeatedly emphasized that the conference will be "open," that all points of view will be heard, and that the purpose of the meeting is to achieve "action."

In this way he hopes to avoid the bickering and infighting that marked the recent White House Conference on Children, for example.

The Conference on the Aging is the second of the kind in ten years. Flemming also presided over the first one, which was held in the waning days of the Eisenhower administration.

The present meeting was authorized by Congress on Sept. 12, 1968. On Oct. 6, 1969, President Nixon issued a proclamation calling the conference and directing that it develop "a more adequate national policy for older Americans."

Since then, about 6,000 local meetings have been held on the problems of the elderly. There have also been meetings on state and regional levels. All have been oriented toward the conference opening today.

Selection of delegates was marked by early charges that the White House was weighting the conference with Republicans. In March, Nelson H. Cruickshank, president of the National Council of Senior Citizens and a Democrat, testified before the Senate Special Committee on Aging that there was a "pronounced partisan bias" among those named to the 14 major committees of the conference. Moreover, he said, his own organization, which claims more than 3 million members, had been allotted only two delegates, or the same number as the Boy Scouts of America.

A month later, Flemming resigned the presidency of Macalester College in St. Paul, Minn., to become chairman of the conference.

As it happens, Flemming and Cruickshank have been friends since they were both undergraduates at Ohio Wesleyan (Cruickshank voted for Flemming to be president of the student body).

#### BACKED BY WARREN

Flemming agreed with Cruickshank that there ought to be a degree of proportional representation in the makeup of delegates. They got the instant backing of Earl Warren, who was Chief Justice of the United States when the Supreme Court handed down its historic decision making the "one man, one vote" principle law of the land. Warren is a member of the conference's organizing committee.

As a result, the National Council of Senior Citizens now has 26 delegates and other major groups of the elderly are similarly represented. Moreover, Flemming has appointed co-chairmen to each of the 14 main committees of the conference.

Having met the critics on the organizational issue, Flemming turned to the matter of trying to achieve action. He set three goals.

The first was to persuade President Nixon to take some highly visible action of direct benefit to the elderly. The President did so in June when he announced plans to improve the quality of the nation's nursing homes. (One out of every 20 senior citizens is in a nursing home or some other institution).

The second was to persuade the President to establish a Cabinet-level committee under the Domestic Affairs Council to coordinate all existing federal programs for the elderly. The committee has so far held two meetings under the chairmanship of Elliot L. Richardson, Secretary of Health, Education and Welfare. To get that committee operating was Flemming's third goal.

#### FIVE CONCLUSIONS

As for the conference itself, Flemming says he has come to "five general conclusions" about what it may concentrate on as a result of numerous meetings he has held around the country since taking the chairmanship.

"Society," he says, "has put the elderly in a secondary position. Society has made promises to the elderly, but not always performed on them. Older persons want the opportunity to make their own decisions about their own lives. Older persons also want to continue to be involved in the mainstream of life. And finally, they want to be treated with dignity."

Central to all these concerns, Flemming continues, is the matter of income. If the incomes of the elderly could be raised, many of the problems they have with housing, transportation, and isolation could be solved.

One out of four of those 65 and over live below the level of poverty established by the department of Labor: \$1,748 per year for a single elderly person living in a city, and \$1,487 for a single person living in the country.

A U.S. Bureau of the Census study showed that in March of this year the average yearly income of families headed by persons 65 and older was \$5,053. The average income in households headed by persons 45 to 55 was \$12,121. In the same year, the average income of individuals over 64 was \$1,951 compared to \$3,137 for all single persons.

The situation is even worse for Negroes and other older persons in minority groups. In 1969, according to the Bureau of Labor Statistics, 23 per cent of elderly whites were below the poverty level. For elderly blacks, the percentage was 48.

#### WOULD REORDER PRIORITIES

Cruickshank would like to see a whole reordering of priorities for the elderly. He points out that 66 per cent of the Department of Labor's job training programs are designed for persons under 45, that 30 per cent of them are designed for persons 45 to 55, and that only 4 per cent are designed for those 55 and over.

"We're not against the young," Cruickshank says. "Just give us a little bit of a better deal for the elderly."

Moreover, Cruickshank would like to see the government fund "categorical" programs especially designed for the elderly. This is something the Nixon administration has so far refused to do. Without it, in Cruickshank's view, the elderly "will always be forgotten."

As for Flemming, he sums up his thoughts about the conference in these words: "The time for action is now. We can no longer afford to raise expectations that will be disappointed later."

[From the Washington Post, Nov. 29, 1971]  
"SENIOR CITIZEN" TAG WORRIES SOME DELEGATES

(By J. Y. Smith)

To Luise Kiefer, the term "senior citizen" is anathema.

"I really, really hate the expression 'senior citizen' because I think it puts us in a little segment of our own, and I think we're still part of the community."

"You don't talk about 'junior citizens,' do you?"

Mrs. Kiefer, 83, lives in San Francisco, and she is a delegate to the White House Conference on Aging, which opened yesterday.

Mrs. Kiefer was looking forward to the conference's opening general session at the Washington Hilton Hotel last night. Apart from speeches by Arthur S. Flemming, a secretary of Health, Education and Welfare in the Eisenhower administration and chairman of the conference, and by John B. Martin, U.S. Commissioner on Aging, the session featured a "multi-media presentation" on what it means to be old in America today, and as it happened the theme was similar to Mrs. Kiefer's worry about being left out.

The message: "Old people—they're not part of the American dream."

"The American dream," a film clip shows us, is young people roasting hotdogs on a beach, a young family having a picnic, young lovers meeting under an archway. There are no pictures of old people in "The American Dream."

A young actor plays the part of an old man; an old actor plays the part of a young man. The idea is to show the young man how it feels to be old. In one sequence, he is placed in an old people's home by one of his sons.

Said Mrs. Kiefer to an interviewer: "I don't think people your age know how we feel because you haven't lived long enough. How do I feel? Normal. Just because you're 83 doesn't mean you have to sit back."

The problems of the elderly raised in the "multi-media presentation" included poverty, loneliness, housing, health, nutrition, and a sense on the part of many older persons that they are simply being ignored.



## TWO YEARS IN PREPARATION

These are among the main issues the White House Conference was called to address. Preparations took two years.

The conference itself is scheduled to end Thursday. Its recommendations, unlike those of the first White House Conference on Aging 10 years ago, are supposed to lead to immediate action to help the elderly.

Chairman Flemming stressed the need for action during an appearance in "Meet the Press" yesterday. He stressed it again in remarks prepared for the opening general session last night.

"Policy proposals in the field of aging that are not backed up by sound programs for action," he told the 3,400 delegates, "are nothing more than sounding brass. . . . We are confronted with the opportunity of developing strategies that will result in action."

He quoted a message from six major national organizations of the elderly which said:

"Our most serious problem is a lack of commitment to action in the field of aging within all of our social, economic, religious and political groups. The White House Conference must devote itself to these problems."

In his prepared remarks, Commissioner Martin said: "I believe that we have laid the basis for a breakthrough. We can push back the walls, open a new view of our responsibilities to our older citizens and new understanding of the contribution they can make to our national life."

It was not clear, however, what impact the conference would have on pending legislation. Dr. Jean Mayer, co-chairman of the conference's nutrition section, professor of nutrition at Harvard and former adviser to President Nixon on nutrition, told a news conference Flemming had issued instructions to avoid taking stands on bills in Congress.

## MAY ENDORSE PRINCIPLE

The reason, Mayer said, was that Flemming feared the delegates would not have a chance to give adequate study to complex legislation that affects the elderly during the period of the conference. But Mayer said this would not bar delegates from endorsing "the principle" of various pieces of legislation, such as a bill Sen. Edward M. Kennedy (D-Mass.) has introduced to provide a federally funded lunch program.

For scores of delegates, there was trouble registering for the conference because their names had been lost or mixed up. By the end of the day, it appeared these difficulties had been cleared up.

## ON HIJACKED PLANE

But none had troubles to compare with those of Julia Zozaya, 45, a blind delegate from Phoenix, Ariz. The TWA flight she took was hijacked to Cuba. She and the other passengers were allowed to leave the aircraft at Tampa, Fla., and Mrs. Zozaya arrived here on time but minus her luggage.

Most delegates seemed concerned about what the meeting may accomplish. President Nixon reportedly plans to make an appearance before it is over, presumably to unveil new administration proposals for the elderly.

Oliver Diggs, 68, of Denver, was optimistic. "From what we've done in Colorado," he said, "I think it's going to be a great thing if we push it."

A companion, the Rev. J. L. Simmons, 75, of Las Vegas, Nev., was not committing himself.

"I'm going to use my Fifth Amendment," he said.

Said Mrs. Kiefer: "Is President Nixon interested? I guess I shouldn't have asked that."

[From the Washington Post, Nov. 28, 1971]

## HOLDING BACK OLD AGE

(By Alex Comfort)

Aging means that we can name a year in which we shall no longer be alive. And there

is another date, perhaps 15 or 20 years sooner, when, if things stay as they are, we shall be alive, but not fully. Death is bad enough, but before death there is, as Yeats puts it:

The death of friends, or death  
Of every brilliant eye  
That made a catch in the breath.

This death before death will begin, for most of us, around 65 and will continue until it kills us. It's not strictly a disease; one may hope to avoid diseases. But age we cannot avoid. It's the only disease we've all got, and, like cancer patients, we know roughly when we may expect to fall and die of it.

If, that is, things stay as they are; and that depends largely on decisions now being made. Adults alive today between the ages of 20 and 50 are the first humans to stand a fighting chance of seeing science begin to bring the process of aging under control. If this happens, as it easily could, within the next 10 to 15 years, they may share that benefit. A relatively small investment now could make the accomplishment nearly certain. What amazes workers in this field of medical biology is that so few of the beneficiaries—and, indeed, so few scientists—realize how close we are to this achievement.

We know that human aging can almost certainly be slowed and we know how to set about trying.

## EXPERIMENTS WITH MAN

Science has two ways of making people live longer: It can stop their dying before their time or it can try to slow down the figurative clock that controls aging, so that old age and death take longer to arrive. So far it has done the first, and brilliantly.

In any of the privileged countries, you can expect to become old. This in itself is new—one generation back, your chances of doing this would have been far less secure. The human life span has probably not changed throughout history. What has happened through science is that most of us now reach the end of it.

The meaning of old age hasn't changed, either. Though some are harder hit by it than others, and though there are Bertrand Russells and Artur Rubinshteyns, who keep the zest for living into their 80s, aging is still loss. At 50 we become stouter and slower; at 60 we tire more easily. Then the skin wrinkles, the muscles weaken, and by 70 our strength is on the average what it was at 14 or so. The mind may or may not stay clear; but if it does, the body cannot match it.

The truth is that having assured that most of us reach 70, conventional medicine has just about reached the point of diminishing returns. Cure of the two present leading causes of death—cancer and heart and vessel disease—would add about seven years to the total life expectancy, but mainly by helping those unlucky enough to contract these diseases young. At 65, the gain would be under two years; we should simply die a few months later of something else, for aging involves a steady increase in the number and variety of our infirmities.

If aging on the present time scale is really inevitable, we had probably better accept it with dignity. But all the scientific evidence is that it is not. Over the past 20 years, an international campaign has been mounted to find out exactly what aging is and whether—and, if so, how—its rate can be slowed.

At present, we still don't know exactly what it is, though we have several plausible theories. We do know that the rate of aging can be altered in rats and mice by relatively simple manipulations. In the next five to ten years, there will be experiments on man, to see whether the same techniques can be used clinically.

If they can, then from rat and mouse experiments, we could reasonably expect a 20 to 40 per cent increase in the period of adult vigor—the time, that is, before manifest aging changes set in. Insofar as any

scientific prediction is safe, we can now say that the length of time before we do this and the number of adults alive today who will be able to benefit from it depend quite simply on the amount of money and energy we put into the project.

## THE ROLE OF DNA

Aging is, in biological terms, the increasing inability of the body to maintain itself and perform the operations it once did. Most current theories assume that this results from a loss of information at the cell level. Mammals have basically two kinds of cells—those that are constantly renewed (skin cells, blood cells) and those that live as long as their owner and never divide (brain cells, muscle cells). Both types carry the basic instructions for their orderly behavior in the form of blueprint molecules of deoxyribonucleic acid (DNA).

DNA is the key to most of modern biology. It consists of a long spiral molecule, rather like a computer tape. The chromosomes of each cell contain a number of these molecules, on which are stored, in coded form, all the information needed to turn that cell into a complicated organism—and to determine whether the organism will be a man, a rabbit or a peach tree. This molecule is Jim Watson and Francis Crick's "double helix," which won them a share of the Nobel Prize in 1962; we are just beginning to be able to read the language of its code, which is composed of a series of three—"letter" combinations.

DNA is like a master blueprint for the body and its maintenance. What happens is that from an identical blueprint file in every body cell, copies are taken, and these copies, in turn, are used to specify chemical machine tools, called enzymes. Since a baby differs from a man, and a muscle cell from a blood cell, the body clearly has an elaborate program for transcribing parts of this stored information at one time and ignoring, or switching off, others.

Biological toolmaking is never 100 per cent accurate. In old nematode worms, Israel's Dr. David Gershon has found that all the necessary chemical tools of certain kinds are there, but about half are not working properly. It seems highly probable that at some point in the chain, errors enter the manufacturing process. They may be in the original DNA blueprints, which become smudged or switched off in some or all of the cells with wear and the passing of time. They may be in the copying process or, more probably, in the machine tools, the enzymes.

## RESTRICTING FOOD

Luckily, we don't have to find out which of these mechanisms is instrumental in aging. We can alter its rate without knowing. In fact, we are most likely to pinpoint the kind of information loss that's occurring by seeing what tends to counteract it. Basically, we have one big choice: If we're dealing with a phonograph record that is scratched with use until it's unplayable, we need to slow down the rate at which scratches accumulate—for example, by cleaning the stylus and excluding grit and dust. If we're dealing with a record that can be played once only and not restarted, we might conceivably find ways of running it more slowly—but not so much so as to distort the music. Either of these procedures would prolong the performance.

In rats and mice, we already know of several maneuvers that will prolong life. The oldest and simplest of these is food restriction. The life span of mice can be doubled, both by gross calorie restriction, which keeps them juvenile, and by feeding them only two days out of three.

Besides postponing aging, this regime virtually eliminates tumors in some strains of mice. The lack of excess calories may slow down copying generally or conserve irreplaceable machine-tool molecules. It may retard some built-in program in the body. It may

even work simply as a challenge that makes the natural control machinery work better. Starved mice have big adrenal glands, and there are some adrenal hormones that can by themselves double longevity in long-lived mouse strains, probably by controlling copying processes or by preventing the rejection of divergent cells. Whether the technique of food restriction would work in man, and particularly whether it would work when started in adult life, we can find out only by trial.

Another group of approaches is based on an area of research that made great strides in the Sixties: immunology. Biologists are trying to understand and control the body's defenses against foreign cells so as to ensure the success of transplant surgery. They are unraveling the machinery that prevents grafts from taking and, in so doing, are finding more and more instances in which the body appears to react against or reject its own tissues. These conditions become commoner with age, and it seems almost certain that self-rejection plays a part, perhaps a leading part, in age changes. Either our cells alter and become criminals or our bodily policemen alter and start attacking law-abiding citizens. Drugs and hormones of the kind given to cover transplant operations are already being tried with some success as anti-aging agents in mice; and in some strains of old mice, removal of the spleen—an important organ in the rejection process—make them survive to great ages.

Yet another approach is based directly on the error-in-copying idea. Large man-made molecules, and molecules in organic materials such as margarine or leather, perish with time through attack by chemical agents known as "free radicals." A free radical has been likened to a convention delegate away from his wife; it's a highly reactive chemical agent that will combine with anything suitable that's around. Chemists protect such things as chicken feed, cornflakes and automobile tires by adding to them substances known as anti-oxidants, which mop up these unwanted agents and slow down the perishing process.

The body contains both free radicals and long-lived molecules—among them, the fibers that keep our skin elastic and the blueprint molecules of DNA. If any such perishing reactions occur with aging, it ought to be possible to slow all of them down by administering some of the nonpoisonous anti-oxidants now added to groceries, but in far bigger doses, without waiting to find out exactly where the damaging processes are located.

A position paper on the practical side of age slowing in animals in 1971 would run roughly like this:

We now have perhaps a dozen ways of slowing down aging or lengthening life or both in rats and mice.

The exact way these methods fit together, the nature of the aging clock and whether there is one clock or more are unanswered questions, but we should be close to an answer within five years.

It's not certain that any of the known age-slowness methods would work in man.

Whether they would and whether they would work in adult life can be found only by trying them.

If they don't, then it's likely that similar and equally simple methods will.

Human experiments will be started within three to five years, probably at more than one center.

The reason these techniques haven't already been tried in man has nothing to do with ethics; it's simply that, because the investigators age as well as their subjects, 70- to 80-year experiments are, for practical and psychological reasons, no go. As long as we could measure aging only by following lifelong mortality figures, as insurance actuaries do, experiments on antiaging agents were

confined to rats and mice, which live but a few years. But we can now move into human studies, because greater knowledge of age changes and the advent of automated clinical laboratories and computers make it possible to measure the rate of aging in the short run.

The new strategy is to choose a battery of measurements—chemical, psychological and clinical—that change with age and follow them over a period of, say, five years, starting at a given age, such as 50. The measures are picked to be so varied that any factor that slows the rate of change in all of them would be likely to act by slowing down aging in general. This approach reduces the problem of how to retard aging in man to the size of an ordinary medical experiment, using some 500 volunteers over three to five years, like the assessment of low-cholesterol diets in heart disease.

Battery tests for aging are one of the few beneficial spin-offs from the bomb. They were developed at the Brookhaven nuclear-research laboratories to measure the rate of aging in Hiroshima survivors. (Reassuringly, the survivors didn't age faster.) Equipment like that which would be needed to carry out such tests on normal people already exists in many U.S. centers, such as the Kaiser-Permanente Medical Centers in San Francisco, Oakland and Walnut Creek, Calif. We could start human experiments next week, measuring such things as hair-graying, skin elasticity, change in body chemicals, hearing and mental agility as indexes of the speed at which aging is progressing.

The aging public seems unaware that a little informed lobbying now could get them longer life. There is a bill before Congress to set up a National Institute of Gerontology, which could be the biological counterpart of NASA.

Prediction in science is difficult, but we can make a few reasonable guesses about what we can accomplish. Among these are the following: By the year 1990, we will know of an experimentally tested way of slowing down age changes in man that offers an increase of 20 per cent in life span. We will know whether it works only when all the subjects have died; but judging by the tests we now have, we should not be far off in predictions. The agents involved will be simple and cheap—dietary tricks or maintenance chemicals, not transplants, intensive units nor tailor-made serums that would be available only to the wealthy and to VIPs.

Direct application of the results will be possible world-wide, at about the same rate as, and probably more cheaply than, antibiotics since 1910. All countries will elect to use them, or at least will be unable—as with the pill in Catholic Italy—to prevent their use. How widely people choose to use them will depend, no doubt, on what sorts of agents are available. If longevity requires tiresome and lifelong diet restriction, the model of cigarettes and high-cholesterol foods suggests that most of the Western public doesn't value longevity highly enough to make itself uncomfortable. All that will happen in this case is that application will be delayed until we find a painless method of getting around our self-indulgence.

#### THE POPULATION PATTERN

Population is already one of our leading panics, and a justifiable one. Longer life will mean greater numbers. This will be adjusted by time, but only if it's a once-and-for-all bonus, and then the bulge will fall when population problems are beginning to hit hard.

On the other hand, the gain will be wholly in the productive and (unless we stick rigidly to already obsolete retirement practice) non-dependent years. This, in fact, could be a gain. Today our reproductive dependency lasts about 20 years and our postproductive about 10, leaving a working life of only 40 years. In 1990, the number of Americans over 65 will be over 27 million compared with

about 20 million now. More years of vigor will mean that many of these can still be "young." More years will also mean more sex, but not necessarily more children.

I am as worried as anyone about the idiotic misuse of technology. But the potential misuse of aging research doesn't keep me awake at night. If it did, I wouldn't devote my time to it. Partial control of human aging is something that's going to happen. Unless we are slothful or overcome by disaster, it's probably going to happen within our lifetime, and some of us will be beneficiaries. Morally, it should be beneficial. Every gain in our ability to stave off death increases our respect for life—our own and others.

[From the Chicago Tribune, Nov. 3, 1971]

#### A HEARING FOR ELDERLY CONCERNS

(By Ruth Moss)

List the problems of the elderly—said to be the most disadvantaged group in our society, the one minority group we shall all join—in the order of their impact and a two-headed monster leads the list: inflation and lack of income.

But more than money is needed to plan for those too frequently overlooked and underserved. Keeping our older people living in the community for as long as it is possible and wise to do so will call for imagination, concern, and a massive effort to initiate great new social reforms to combat a culture that is youth oriented, if not obsessed.

These concerns and considerations were among those voiced yesterday in City Council chambers before the House of Representatives subcommittee headed by Rep. John Brademas [D., Ind.] with jurisdiction over the Older Americans Act.

The Chicago area experts who spoke out included four members of the over-65 set, representing the 600,000 senior citizens in the city and suburbs. "Retirees can't strike for a 30 per cent increase in wages, and if their reserves are in securities, these, too, have decreased in value," said Arthur R. Weed, president of the North Shore Center and consultant on preretirement preparation for the city of Chicago. "All this bears out the oft-repeated statement, 'The longer you live, the more likely you are to be poor.'"

"At a recent American Seminar on retirement, a participant asked, 'Isn't the word retirement negative?' 'It is not only negative, but to many people actually repulsive,' I answered.

"These people do not even wish to think about it nor talk about it—yet the average person who retires at 65 has from 14 to 17 years of living for which he should prepare.

"The phrase 'retirement shock' is now quite well understood, and it is preventable. It is necessary, tho, to develop a changed attitude toward retirement as well as recognition that 80 per cent of retirees are still active. They are not senile, doddering weaklings."

Mrs. Mary Alice [Ma] Henry of the West Side Health Planning Organization, concerned with those who have "the three S's"—sick, senile, and scared—suggested as solutions enlarged grants, discount cards for food, clothing, and travel, minibuses at senior apartments to transport them to and from, work as long as possible, and a mobile store for dry goods and groceries that would be for the feeble "something to look forward to, and it would be a blessing."

More educational opportunities for older adults—"retired people on fixed incomes who pay for schools the same 60 per cent of their tax money as younger adults with families and still working"—were urged by Dora Nelson, founder of the American Association of Retired Persons, DuPage Chapter No. 500, and a former settlement house director in Detroit.

"Why couldn't public education be provid-



ing courses in retirement planning? she asked. "Do those responsible for adult education know that almost half the persons over 65 did not graduate from high school; more than a million of them never had the benefit of any formal schooling?"

She urged as "imperative" the development of new interests and new outlets for the energies of those who have worked all their lives and for whom work always is going to be a major source of satisfaction.

The fourth senior spokesman, James Roach, associate editor of *Chicago Voice*, drew applause from the 130 seniors in the audience when he deplored the time it takes "to get just one bill through Congress—one year, two years, or more," so that "children or even grandchildren of today's seniors going to Washington may be there at a later date with some of the same major problems."

The seniors sat patiently through the proceedings, which began with Robert J. Ahrens, director of the human resources department's senior citizens division. Ahrens urged an end to "the universal lockstep of a third life at school, a third at work, and a third in inactivity or retirement."

Instead, these three streams that flow through all of life should fit the needs of the individual as well as the demands of society. A man might work part time at 80, or go back to school at 45, or interrupt his work life more frequently to enrich it and himself with travel, leisure, and education.

[From the *Christian Science Monitor*,  
Nov. 15, 1971]

#### THE CHALLENGE OF AGE

(By Robert P. Hey)

SILVER SPRING, Md.—Wearily, Mary M. leans a gnarled hand against the bus stop's concrete pillar and squints uncertainly at the schedule. "Young man," she implores at last, "when's the next Z-2?"

"Five fifty-four," I reply, and earn a joyless smile of thanks. She has 32 more minutes to stand and wait.

For a moment she leans in wordless repose. An inexpensive bag dangles from one elbow.

Then slowly, methodically at first, the words begin to come. In that special candor reserved for dialogue between strangers the problems of the nation's 20 million aged tumble out. They are poverty, illness, transportation and housing, crime—the problems the White House Conference on Aging (Nov. 28–Dec. 2) will investigate.

And as she speaks, she illustrates that the problems are many and difficult. Dedicated people are trying to help across the country, and some notable successes are being achieved.

Yet too often, the elderly remain America's forgotten people—a national resource of which, experts say, too many other Americans are much too unaware.

The great need today appears to be for individual Americans to awake to the plight of old people and how they—and their government—might be able to help.

"CAB COST \$3; I CAN'T AFFORD THAT"

"Going to see my husband," Mary M. begins. "They operated on him 18 days ago—major surgery. Now he's in that little nursing home off Hillsboro Avenue.

"I took a cab from here two days ago to see him, but it cost \$3 and I can't afford that. That's why I take the bus from downtown and change here.

"I have to get along on my social security, you see—about \$110 a month. Actually my husband and I have been separated a long time—27 years—but he's still my husband. He doesn't get much retirement himself, so I tried for a long while to do it on social security. When he found out how little I get, he started giving me \$25 a month, and that helps."

But even her estranged husband's aid leaves Mrs. M. teetering on the slippery edge

of survival—with an annual income of only \$1,620. (On the average, the government says, anyone who lives alone on less than \$1,852 a year is poor.)

In the past two years the government has increased social-security benefits for the elderly, one of their prime means of income, by 15 percent. Similarly, the amount of money the elderly can earn without losing these benefits has been raised.

Both surely will be raised a little more in the next few months. Retiree groups are fighting to have the earned-income ceiling removed entirely, and someday it may be.

Mrs. M. has plenty of company in poverty. "It's the elderly's most critical problem," says William R. Hutton, executive director of the National Council of Senior Citizens. Elderly Americans are twice as likely as younger citizens to be poor—1 in 4 over 65 is poor.

Last year half the 5.8 million elderly who lived alone or with nonrelatives (three-quarters of these are women) had incomes less than \$1,951. One-third of them got along on even less than Mrs. M. For these people the loss of even a few dollars takes on immense importance.

#### A LITTLE SUM GOES—NOWHERE

"When I saw my husband right after his operation," laments Mrs. M., "he had a \$5 bill in his shirt pocket. . . . I was a little short at the time, and I wouldn't get my government check for five days, so I said, 'Honey, how about letting me have this five?' He said he might need it—you know him—so of course I left it.

"Wouldn't you know? Somebody stole it off him the next day . . . so neither of us got it. I told him if he'd only have let me have it, he wouldn't have been robbed. And I sure could have used it."

When they talk about their needs, most Americans over 65 soon speak of the skyrocketing costs of health care—and of their fears of being unable to afford it. So it is with Mrs. M.

The nursing home she is en route to is clean and modern, with bright flowers outside and a compassionate superintendent within.

"But the cost!" she exclaims. "It's \$570 a month, for as little as they can get away with. They seem like they care, but you gotta fight for everything, they're so busy.

"In a way it's better than the hospital. That's a good place, all right. But he was in intensive care the first few days after the operation, and then they put him in a room with another man for \$80 a day—just for the room. I don't know how he's going to pay for it all."

#### "WILL HEALTH INSURANCE COVER?"

The lines of worry seem to burrow deeper into her forehead.

"Will health insurance cover the cost?" I ask.

"Some of it," she replies, "but nowhere near all. My husband's 72—I'm 67—so that medicare thing helps. But you haven't heard anywhere near all of it."

She says that prior to the operation he had been in a series of nursing homes. "My son said the other night that the benefits are about gone—I don't understand it. But it means trouble."

Frequent medical needs and soaring health costs are "the second-most-critical problem" for elderly Americans, Mr. Hutton of the National Council of Senior Citizens says.

The Senate Select Committee on Aging reports that "Medicare covered nearly half (47 percent) of the total personal health-care expenditures of the aged (averaging \$692) in fiscal 1969, leaving uncovered an average health bill considerably larger than the total health bill for the average younger person." For some people, government programs for the impoverished help with remaining expenses.

Nevertheless, the elderly complain that

monthly premiums for the optional part of medicare coverage have about doubled in the program's five years; that medicare benefits have been restricted; that beginning Jan. 1, 1972, persons hospitalized under medicare will have to pay the first \$68 cost instead of \$60; and that several states—most recently New York—have sharply cut back both eligibility and benefits in their medicare programs for the elderly poor.

Enactment of medicare—subsidized medical care for the elderly—during the 1960's has been a boon to the elderly, many experts say. But a number of Democrats, particularly, expressed much concern in Congress this year over increasing restrictions the Nixon administration through regulations is putting on the service that medicare can provide the elderly.

These changes are "building barriers between the elderly and adequate health care," charges Mr. Hutton. These restrictions were clamped on mainly to hold down rising medicare costs. There will be an effort in hearings next year to force the administration to increase medicare, no matter the cost to government, to meet all the health needs of the elderly.

However, help may come from a different direction. Americans of all ages are gravely concerned about soaring medical costs. There is much effort in Washington toward getting Congress sometime in the next few years to legislate a national health-care system. Many think some such program will come into existence in a decade—perhaps half that.

#### HOUSING, TRANSPORTATION, CRIME . . .

Mrs. M. is talking about other problems now—poor housing, inadequate transportation, concern over crime.

"Sometimes when I get here to the bus stop early enough, like I did tonight, I eat dinner over there at the Taste Diner—the stew's good and cheap. Then I get the 5:18 out to the nursing home.

"But tonight just before I got back to the bus stop, the 5:18 pulled out—about 10 minutes early." (A gaggle of irritated commuters backed her up.) "So I had to wait another 36 minutes.

"And it's over two hours a day anyway coming out here—that's awful hard on me. And so expensive—80 cents."

The worsening service and soaring rates of many city bus lines have left millions of elderly Americans similarly in the lurch. Like Mrs. M. they're too poor to own cars, afford auto insurance, or ride cabs, and physically unable to walk far.

Many elderly rank transportation as their third-most-crucial problem, trailing only income and health needs. Last year the Senate Select Committee on Aging said the transportation problem for the elderly had reached "crisis" proportions.

"Transportation," reported the committee, "takes an average of 9 cents out of every dollar in their limited budgets. It is their third-highest expenditure, exceeded only by housing and food costs."

The committee pointed out that poor transportation has a "multiple" effect. The Senior Citizens News, a publication of the National Council of Senior Citizens, elaborates:

"Without adequate transportation, the elderly are denied easy access to shopping areas, church services, recreational facilities, gainful employment, and social contacts with relatives and friends.

"Cut off from these vital contacts, the elderly tend to become isolated—with resulting mental and physical deterioration."

One of the efforts to help meet this transportation problem is reduced fares for elderly on city buses. At last count more than 50 cities offered senior citizens reduced bus fare—one-third to one-half off, typically—during nonrush hours. After the first year of New York City's program some 600,000 elderly were using this cut rate; bus and subway

travel by the elderly had increased 27 percent.

When the Department of Transportation grants cities money for mass transit, it requires that they present a plan to meet the needs of the elderly.

The buses Mrs. M. does ride for her daily trip to the nursing home take her through a Washington that has changed radically in her lifetime.

When I first used to come up here to Silver Spring," she says, "there was only one house here. Now look at it"—with a tired wave toward blocks of stores and high-rise office buildings.

"Washington's changed, too. Used to be a wonderful place to live. But it's so noisy and crowded now.

"And the crime." She shudders involuntarily. "Why just last week my husband asked me, 'Honey, will you get my [retirement] check cashed for me?' And I was shivering and shaking the whole bus ride back from the bank, afraid somebody was going to grab my pocketbook.

"I was robbed three years ago, you know, right on the street where I live, in front of my rooming house [in downtown Washington]. He grabbed my arm, threw me down on the sidewalk and took my pocketbook."

Suddenly she points at an incoming bus. "Wait a minute—Isn't that the Z-2?" The silver-and-green bus chugs to a stop at curbside. She clambers aboard with me and continues talking as it begins to lurch forward.

"I'm really scared to stay there now, at that rooming house. But these other places cost so much. And one room's all I can afford."

Fear of violent crime and housing problems—they're two of the heaviest burdens elderly Americans carry.

The elderly probably are more aware than anyone else that the recently released FBI statistics show serious crime's continuing rise—11 percent nationally last year. It rose 6 percent in big cities, though in Washington it was down 16 percent.

In one low-income housing development in New York City where many elderly live, an employee reported this fall that "we've had six muggings of elderly people just this past week. They're such easy prey for the young thugs—and they know it."

Housing costs don't frighten them the same way. But many of the elderly wonder how they'll meet them. Housing is the biggest expense for the average American over 65—34 percent of his budget. At that rate many of them can't afford a decent place to live.

#### CONSTRUCTION RUNNING SHARPLY BEHIND

The Senate Select Committee on Aging estimates that 30 percent of the elderly—6 million people—live in substandard homes, dilapidated or lacking adequate plumbing or other facilities. Construction of new homes and apartments to house the elderly adequately—especially those who are poor—runs woefully behind the need.

Worst of all, no one knows for sure what the housing needs of the elderly really are. Best estimates are taken from figures gleaned during the 1960 census. The same questions, however, were not asked in last year's census, so estimates for some time to come will be based on the 1960 statistics.

There's a direct relationship, too, between low income, inferior housing, and crime. Many of the elderly can afford only the cheapest of apartments; many of these are located in deteriorated neighborhoods, where the frequency of crime is high. Trapped by his low income, the elderly American is preyed upon by the thief he fears.

One way to alleviate the housing shortage, say some nonprofit sponsors of housing, is for government to resuscitate its program to build apartments exclusively for the low- and moderate-income elderly. The Nixon administration decided to include elderly

housing in its overall low-income housing program. With the result, critics charge, that construction of low-cost housing for the elderly has been virtually stopped.

Part of the problem is suburban resistance to any low-income housing. In city after city officials have sought to put such housing in "good" areas—sometimes it's housing for elderly—and have been rebuffed. Breaking down this resistance is a key to improving housing for low-income elderly—indeed, for many low-income Americans.

One fear of the suburbanite is crime. Low-income people, many suburbanites feel, bring crime as surely as cats bring fleas. It is a concern deeply held, too, by the elderly of all income levels.

The brighter streetlights and more numerous policemen in many cities help ease this feeling. But urban crime, studies have reported, will not drop dramatically until society makes fundamental changes to give more equitable opportunities to the poor, especially minority-group poor.

Poverty, health needs, poor transportation, fear of crime, inadequate housing—they're major problems for most elderly Americans today. Yet beyond all these, for many of the elderly, is a suffusing sense of loneliness, and its companion—a sense of purposelessness, of uselessness.

#### COPING WITH A SENSE OF LONELINESS

When men retire they often must deal with the belief that they no longer are of productive use in society. As children grow up, move out, and begin their own families, mothers—and fathers, too—must cope with a sense of loneliness. Specialists say it is a feeling often intensified by widowhood, or separation after years of marriage. Many elderly Americans feel they have no one—no friend, no family. No one to care.

In many cities private organizations, often with some government money, are trying to reach the lonely. In New York City, for instance, Project FIND (friendless, isolated, needy, and disabled) has sought them out in little rooms along Manhattan's West Side and provided cheer and a free gathering place. So, in a more extensive way, has the Hudson Guild-Fulton Center for the elderly, several dozen blocks to the south. Throughout the city are some 60 Welfare Department day centers for the aged. And there are others.

Yet those who work with Manhattan's elderly are convinced thousands more sit unreached, day by day, in little rooms throughout the city. Much more effort is needed, they say.

So it is throughout the nation, with similar outreach, programs or government-financed programs like Foster Grandparent, or senior AIDES (alert, industrious, dedicated, energetic, service), that give a few thousand elderly the deep sense of doing something needed and worthwhile. What is done is marvelous; but far greater is the need to help alleviate many more older Americans' sense of loneliness, of worthlessness.

Mrs. M.'s own loneliness comes through poignantly at the bus stop, and early in the jouncy bus ride. She is pathetically eager to talk—with anyone.

But as the bus twists and turns through residential streets she falls silent. The once vacant eyes come alert, and she seems deep in thought.

Three blocks from the nursing home she turns away draws from the bag a broken compact held together by a rubber band, and begins to primp.

Her earlier words rush back in memory: "My husband and I have been separated a long time—27 years—but he's still my husband."

Her visit will be only one hour. But for that hour there will be no loneliness. For that hour she will have someone.

[From the Christian Science Monitor,  
Nov. 16, 1971]

#### THE SEARCH FOR A HOME

(By Robert P. Hey)

PROVIDENCE, R.I.—Judith Pearson is one of more than 6 million elderly Americans who need a better home. But she isn't sure she even can afford the one she's got.

Miss Pearson (not her real name) lives in a basement apartment in a dilapidated frame house in downtown Providence. Most of the old clapboard houses nearby are similarly run down. To her friends it's a slum.

It's been home for Miss Pearson for a decade. But her landlord recently raised the rent from \$45 a month to \$65. "I guess I'll have to move," she says resignedly. "I don't know how I can afford \$65."

"But my friends say \$65 really is pretty cheap—that I can't do any better. Is that true?"

Yes it is, Miss Pearson; \$65 is pretty cheap. Housing is the elderly's No. 1 expense, as many will tell you. Most speak of paying rents a good deal higher. The Bureau of Labor Statistics figures household expenses—rent, utilities—take 34 percent of their budget. They take less of Miss Pearson's monthly income, but she wonders how she'll make it with \$65 rent.

#### SCRIMPING ON "IMPORTANT" THINGS

Miss Pearson's no spendthrift. For most of her nearly 90 years she has saved money on "unimportant" things—rent, food, clothing—to have a little for the important things—travel, the broadening of her horizons.

But not even she can figure out how to afford an apartment most Americans would consider decent. It's a problem many of the 20 million elderly share. Millions of them live in substandard apartments or homes. Across the country there simply aren't enough decent places for them to live, at prices they can afford.

Even worse, perhaps, nobody is certain just how severe the problem really is. Few statistics are available on the elderly's housing needs; most that do exist stem from information gathered by the 1960 census. No new statistics are expected in the near future. Because of understandable concern for privacy, the questions that yielded this information in 1960 were omitted from the 1970 census.

The 1960 census concluded that about 30 percent of the elderly—6 million—lived in housing that was dilapidated, deteriorating, or lacking some facilities. This figure is believed to represent about 2.8 million substandard apartments or houses.

The Senate's Special Committee on Aging concludes that new housing construction for the elderly over the past decade has roughly been keeping pace with the expanding need—without making major inroads on the pent-up need. It estimates that today "a minimum of 3 million units" are needed.

The problem of the elderly poor appears the most active. In 1968 the President's Committee on Urban Problems reported "an immediate and critical social need for millions of decent dwellings to shelter the nation's low-income families." It called for low-income housing units to be built at the rate of 600,000 a year, for 10 years—to a total of 6 to 8 million.

#### 41,000 NEW UNITS VS. 120,000

The Senate Special Committee concludes that, since one-fifth of the poor are elderly, one-fifth of the 600,000 housing units are needed annually by the elderly—about 120,000. "By contrast," the committee reported early this year, "only 41,000 units could be identified as approved or committed for the elderly poor last year."



Much emphasis in construction for the elderly is on apartments, and many elderly are moving from homes to apartments. But at present two-thirds of Americans past 65 live in their own homes (80 percent have fully paid off their mortgages).

"For most older Americans," says the Senate committee, "their home is their only asset."

One elderly person in 20 lives in a nursing home for the aged, or other institution.

Seven in 10 live in families, reports the Administration on Aging. It adds that 1 in 4 lives alone, or with nonrelatives. "Three times as many older women live alone or with nonrelatives," it says, "as do older men."

Living alone seems particularly difficult for the elderly, whether it is uncounseled thousands in little rundown hotels or those alone in large houses. In little hotel rooms a sense of loneliness and isolation sometimes seems overpowering; in too-big houses it is the expense and difficulty of keeping up such a large place. And the ever-soaring taxes.

#### TAXES UP "SOMETHING TERRIBLE"

"The real-estate taxes are going to drive me out of my home," laments a widow from northwest Washington, D.C. "I've paid taxes for years; I paid plenty in taxes to educate my children. But the taxes have gone up something terrible the last few years, and with my husband gone I don't have that much income anymore."

"Why do I have to keep paying to educate someone else's children? If taxes go much higher I'll have to sell the house and move into an apartment. But I'll always think of the old house as my home."

It's more than taxes that makes many elderly exchange their houses for apartments. For many it's also the expense of house repairs and the effort needed to keep up a house.

It's a typical pattern for many elderly, especially those widowed. Income goes down; it gets harder and harder to manage a big house financially and otherwise. One day they decide the ease of apartment living would make the switch worthwhile.

However, with reduced incomes and often special needs—such as being within walking distance of good public transportation—many elderly find it difficult to compete with younger persons for available apartments.

Reports the Senate Special Committee on Housing:

"With apartments generally showing only a 5 percent vacancy rate and apartments on the Eastern corridor showing only a 2.8 percent vacancy rate, seniors had little opportunity to find or exchange housing. They have to compete for these vacant units with their younger counterparts, who are more mobile and better off financially."

"In times of severe shortage the elderly are the ones who are forced to accept the rundown apartment that would otherwise stand vacant."

#### NO CHANGE OF VENUE FOR JUDGE

When most people retire they prefer to continue living in the communities they're in, where friends and surroundings are familiar. For instance, like the Rhode Islander who moved two blocks from house to apartment.

And like the Missouri judge, in his late 70's but still practicing law when his wife passed on. His daughter-in-law invited him to live with her family just outside New York City. He thanked her warmly but declined: "All my friends are here; there I'd walk down the street and know no one, and no one would know me."

Nevertheless, many do retire to other areas; witness the many elderly living in mile after mile of mobile homes and small houses in parts of Florida.

In search of country peacefulness, a few

retirees even ignore harsh winter weather—as with those who retire to Freedom, N.H. (population 387). "I've vacationed here from Boston every year since '28," says a courtly gentleman standing in front of Freedom's Village Store. "I retired two years ago; moving here year round was the natural thing to do. Freedom's become a retirement village, you know."

Over the years a Midwesterner has bought and beautifully restored several Freedom buildings, including the old inn and a one-time store that had fallen upon sorry days. Now the store is four nice apartments for retirees.

Retirees coming to Freedom have been able to find good housing. But nationally the housing problem of the elderly is acute.

This is an area in which government is helping. But critics charge it should do more than it has done. What's worse, they say, the Nixon administration has been trying to cut back on housing and other aid to the elderly when it really should be expanding it.

The Department of Housing and Urban Development (HUD) reports that by mid-1970, elderly were living in more than 336,000 apartments or houses subsidized in whole or in part by the federal government. The department says it administers 21 programs under which the elderly are aided, including: apartments exclusively for the elderly; low-rent public housing for elderly and others; and rent-subsidy programs.

#### NO INROADS ON BACKLOG

As evidence of progress in meeting the housing needs, HUD reports that elderly were living in 156,000 general-purpose, low-income apartments in 1970, compared with 77,000 10 years earlier. It reports also that in 1960 only 1,100 federally aided apartment units existed in programs specifically designed for the elderly. Ten years later, it says, there were 180,000.

Even critics admit that's worthy progress. But they say it only keeps pace with the increase in need—and doesn't meet a basic need for nearly 3 million good-quality, low-cost housing units for the elderly.

HUD says that in the past 10½ years, ending last December, 43,500 apartment units were begun under the major federal program to provide low-cost apartment housing exclusively for the elderly. But the Nixon administration has decided to end this program and instead stress low-to-moderate income housing for all ages.

Critics charge that the practical effect of this change in direction, made more than a year ago, is to stop new housing for the elderly—making it too expensive to build because of needlessly higher specifications and interest rates. The Senate in 1970 voted \$10 million for the old program anyway, but HUD did not spend it.

#### A LITTLE EXTRA HELP

Acute as is the shortage of adequate housing, for many elderly the problem is not finding an apartment, it's remaining there. What's needed by many is a little extra help from someone: a good hot meal once a day; someone to take them shopping twice a week; a once-a-week cleaning service; help in cutting through the miles of red tape often wound around promised government aid.

Many privately and publicly financed programs exist to provide these services. But in almost every area of the country the need far exceeds the services provided.

One of the best programs is at Hudson Guild-Fulton Center, on New York's Ninth Avenue. The center provides many activities and much help for the elderly of the neighborhood. Perhaps its biggest boost is the nutritious, low-cost dinner it serves some 125 to 150 elderly every day (some meals are sent to the homebound as well).

"I give them more protein than is required," says Mrs. Gertrude W. Wagner, the center's nutritionist, "because I feel that,

being the highest priced food element, that's the one they won't get otherwise. She says that "quite a large group that comes every day for the meal live in resident homes without any cooking facilities."

Mrs. Wagner says "there is no doubt" that because of meals provided by the center a number of local elderly are able to keep living in their homes, not have to move to nursing homes. That, she says, "is the thing all of them want. Nobody wants to leave his home."

The center is widely acknowledged to be doing a fine job through its meals and many other programs. Yet, ever the realist, Mrs. Wagner warns that even in this area of Manhattan the need is far larger:

"It's important that we know we're just a drop in the bucket, compared with the total needs in the area, or in the city, or in the country."

For untold thousands of elderly, living alone and struggling to remain independent, a nursing home is the only alternative to the help this and other centers provide. One elderly American in 20 lives in a nursing home or other institution. And to many another, the very idea of having to move to one brings a tear.

There are many dedicated nursing home administrators and staffs across the country, and a substantial number of fine nursing homes. But a two-year Senate study chaired and directed by Utah Sen. Frank E. Moss (D) concludes that despite some improvement in the nation's nursing home situation in recent years, by and large the picture remains shocking.

#### BEHIND-SCENES CRITICISM

Many persons who have worked in nursing homes can relate firsthand how care and food costs are held down—even in some expensive establishments.

A kitchen aide says she resigned from a modern southern Massachusetts nursing home because:

"One day when I was lading mashed potatoes onto the patients' plates the manager came into the kitchen. He told me to mash the potatoes down on the plates with a fork 'so it looks like there is more than there really is.'"

"That was too much for me; I quit the same day. I felt so sorry for those poor patients."

Nursing homes became big business from 1966 to '69. Hundreds sprang up across the nation, largely in response to a federal carrot: the federal government began to pay millions of dollars to nursing homes to care for the aged.

Today, the Moss subcommittee estimates, nursing homes take in from \$2.5 billion to \$3 billion a year. Public funds account for \$2 of every \$3; federal funds alone pay about \$1 of every \$2.

Ironically, the Moss study concludes, this is not enough to provide proper care. And in fact a number of nursing homes have declared bankruptcy over the past two years.

States determine how much money should be paid nursing homes each day to care for indigent elderly patients under the Medicaid program. The cost then is shared between the state and federal government.

The Moss study finds most states pay \$14 a day for Medicaid patients, which has to cover the room, nursing care, food, medicines, and other expenses. It's less than most hotels charge merely for a room. "Grossly inadequate" for proper care, complains Senator Moss.

However, charges a Moss committee aide who has been deeply involved in the study, "if a nursing home operator really wants to cut services and care, he can make a fortune on \$14 a day."

The study holds that "the gist of the problem is money." The Senator recommends that the way to solve the problem is

to pay more money contingent on adequate care, good food, and other elements of a first-rate nursing home.

#### HIGH-QUALITY INCENTIVES SOUGHT

He wants to build financial incentives into existing government programs that would encourage high-quality nursing homes. He praises the incentive system Connecticut builds into its Medicaid payments to nursing homes for care of the ill and poor.

The state inspects nursing homes and grades them in five categories; the better they are, the more money they receive. "Typically," the Senator says, "a Class A nursing home will receive about \$1 a day (per patient) more than a Class B nursing home and \$2 a day more than a Class C nursing home, and so forth."

He says that Connecticut "is commonly recognized as having one of the best nursing home systems in the nation. To be sure, there are problems with this system . . . (which are recognized), but with some minor revision it might provide a useful model for other states."

Good food, enough nursing care, a concerned staff, a clean and cheery atmosphere, a fireproof building—good nursing homes have to provide all these things. But there is something more—respect for the patients. Many of the homes have it: But too many, unfortunately, do not.

#### A SHORTAGE OF DIGNITY

It's traumatic indeed for the elderly to lose their independence and have to go to a nursing home—however sunny its rooms. However loving its staff.

Some nursing homes unconsciously twist the knife in the unkindest cut of all: slicing from the patient his last shred of dignity.

There is, for instance, a lovely, modern nursing home in southern New England where nurses and staff automatically call even their newest patients by their first names. It's never "Mr." or "Mrs.," but always "John," or "Edith." Nobody ever asks the patients how they wish to be addressed; for some, it's the last straw to be known, like children, only by one informal first name.

A comprehensive study by the Senate subcommittee on long-term care concludes that about half of all the nation's nursing homes run for profit are substandard—in construction, care, food, or some other element. (Most nursing homes which exist primarily to provide medical care are in this proprietary group; most homes for the aged—well and otherwise—are nonprofit.)

If nursing homes were graded like schoolchildren, the study concludes, only 5 percent would get an "A" (These also are expensive, because the needed high level of care and food they provide patients is costly.)

Ten percent would get "B"; 15 percent, "C"; and 20 percent, "D." These are rated as having good physical facilities. "But what you're sorely lacking there is care," explains a subcommittee aide—"more because they can't than that they don't care."

#### "THE SYSTEM" GRADED LOWEST

The guilty party, the study concludes, "is the system—and the system builds in poor care. You need more nurses. You need the involvement of more physicians."

"Most of all, you need a clear national policy as to how we are going to treat our elderly ill."

In August President Nixon publicly expressed his concern about the poor quality of some nursing homes. He said he intends to see that those falling below minimum federal standards are brought up to them. As one step he announced plans to train an additional 2,000 nursing home inspectors.

The Moss study holds that "there seems to be a 1-to-1 relationship between being a low-quality nursing home and earning high profits. The reason is that your major expenses as

a nursing home are staff and food. So if you want to make a lot of money in the nursing home field, you cut care and food costs."

[From the Christian Science Monitor, Nov. 17, 1971]

#### INADEQUATE INCOMES

(By Robert P. Hey)

WASHINGTON.—Mrs. C., tall and stately, is a secretary in a medium-size Eastern city. Making ends meet always has been hard—she has worked for the same nonprofit firm for 40 years; she is 64.

Her income places her far above the government's official poverty level. Yet, like the vast majority of older Americans, she must watch nearly every penny.

"I earn just over \$5,000 a year," she begins. (She receives another \$400 annually from interest on her savings account, which stems from her late husband's modest life insurance.)

"Believe me, it's very difficult to live by yourself on that amount. My apartment rent [one bedroom, third floor, no elevator] is \$160 a month. Anything cheaper would be in a slum."

"I live very carefully. I've only bought one dress all year, and I almost never eat out."

"Even so, every now and then I have to take principal out of the savings account for big expenses, like car repairs. (Her sedan is five years old.) Honestly, if anything more happens to that car I think I'll just drive it into the harbor."

Ironically, the car that threatens to drive her to the poor house also enables her to remain independent.

#### THEY CALL THAT SECURITY?

If I sold the car I'd have to give up my job. It's so far to walk, the bus service is atrocious, and I can't afford cabs. If I gave up my job I couldn't keep the apartment. My social security would be only \$130 a month—even less than my rent. How dare they call that 'security'?"

Mrs. C. does live frugally. Clearly she considers herself near the brink of financial disaster. If her expenses go any higher she will have to economize by giving up her prized independence and moving in with one of her children.

Yet the startling fact is that Mrs. C. has a bigger income than almost 9 of every 10 elderly and single Americans, according to the Department of Health, Education, and Welfare. Its Administration on Aging reports that 90.7 percent of all single, divorced, or widowed elderly had less than a \$6,000 income in 1970. (Two-thirds of them earned less than \$2,500; and half less than \$2,000.)

Although the majority watch their pennies closely, the government says only one-fourth of them are financially poor. But for most, meeting the problem of adequate income is, in one degree or another, a continuing challenge.

#### WASHINGTON TOSSES A BUOY

By government figures, 4.7 million of the 20 million elderly Americans—1 in 5—live below the poverty line. That is set by Washington at an average \$1,852 for a single person.

In recent years efforts have been made to try to lift the elderly above the line. For instance, over the past two years the government has boosted by 15 percent the benefits given the elderly under the social-security program.

The efforts have not been adequate to the need. For instance, poverty among most Americans has been declining in recent years. Yet today, by latest government figures, 100,000 more elderly Americans are officially poor than there were in 1968.

Thus it is that many groups and individuals in Washington and across the nation ex-

press concern over the situation. They are offering suggestions for improving it.

The National Council of Senior Citizens asks a 25 percent increase in the monthly social-security benefits, on top of the 5 percent increase proposed in President Nixon's family-assistance plan. The presidential plan, now before Congress, is not expected to be acted upon until next year.

#### INCOME SUPPLEMENTS PROPOSED

One goal of the council is to eliminate poverty among all age groups, including the elderly. To the extent that social security and private and other public retirement plans do not end elderly poverty, the council says, there should be a program of income supplements for the elderly, financed from revenues from the general treasury.

Last spring Sen. Frank Church (D) of Idaho, chairman of the Senate's Special Committee on Aging, proposed such an income supplement program (on which there was no congressional action). Senator Church said that his bill would "ensure that all elderly citizens would be entitled to an income above the poverty level of about \$1,750 for a single person, and \$2,200 for a married couple."

Senator Church would abolish the shared federal-state welfare plan (Old Age Assistance) to aid the elderly poor, and establish a supplement plan in its stead. "Quite clearly," he said, "a new approach is essential if we are to ensure a life of dignity and self-respect for the elderly people of the United States."

Senator Church says: "Undoubtedly, the No. 1 priority for the elderly is to raise [social security] benefits to a more realistic level." Early this year he proposed a two-step, 30 percent increase.

#### THE GRAPHICS OF SOCIAL SECURITY

The importance of social-security payments to retired workers is graphically illustrated by the many millions of retirees, their dependents, or their widows who receive the benefits.

According to latest figures of the Social Security Administration, nearly 17 million such workers and their dependents receive checks each month. This figure includes 13.7 million retirees themselves; their 2.7 million dependent wives or husbands (not necessarily of retirement age); and 550,000 dependent children.

In addition, 3.3 million elderly widows or widowers of retired workers receive checks based on their spouses' earnings.

Even with this year's 10 percent social-security raise, benefits leave most recipients in less-than-lucrative positions. The monthly check for the average retired couple now is \$219; for an average retired worker, \$131; for widows, \$113.

Widows' benefits are less than retirees'—they receive 82½ percent of what their husbands were entitled to. Many persons advocate changing social-security rules so that they receive 100 percent. Such a change is proposed in the Nixon assistance plan.

#### FREER EARNINGS LIMITS SOUGHT

The Nixon plan also would raise the amount a person receiving social security can earn without having some of his government money taken away. It is \$1,680 now. The bill would raise it to \$2,000. Many liberals will try to push it to \$2,400; some want it removed altogether.

(Recipients can, however, receive full benefits while taking an unlimited amount of unearned income—dividends, interest, trust, and rental income.)

Under present law, when persons earn between \$1,680 and \$2,380, \$1 in social security is withheld for every \$2 earned. It is a disincentive to work. And, the elderly charge, the provision makes it well-nigh impossible for them to lift themselves from financial poverty by making the few extra dollars that



can, in human terms, make all the difference. Under the Nixon proposal, \$1 of a recipient's social security above the \$2,000 level would be withheld for every \$2 earned—no matter how much was earned. Some think this "withholding" or retirement test, as it is called, ought to be dropped.

#### THE CORNUCOPIA HAS A BOTTOM

But the 1961 White House Conference on the Elderly concluded that it should be retained so that the persons who are actually retired, or mostly so, are the ones who benefit from social security—which is not, after all, a bottomless financial cornucopia. Someone has to fill it.

That someone is the American taxpayer. He fills the social-security system by paying taxes on the first several thousand dollars he earns. There is some thought in Washington, largely among liberal Democrats, that the system ought to be financed from the nation's general treasury. This would enable more of the money to be collected from the people and corporations with more money and thus, it is argued, more ability to part with it. Some say this would enable larger benefits.

Among the recommendations of the Senate Special Committee on Aging are:

1. That Congress give attention to "major changes in social-security benefit levels."
2. That "serious consideration be given to the use of general revenues in the financing of the social-security system."
3. That "the federal commitment to the elderly undertaken through the family-assistance plan be translated into a wholehearted commitment, with 100 percent federal financing and federal administration."

#### A PLAN FOR GOING THIRDS

Sen. Hubert H. Humphrey this month proposed several changes in the social security system, including use of federal general-revenue funds to finance one-third of the program. At present the program is financed 50 percent by employer deductions, 50 percent by employee deductions. Senator Humphrey would broaden that to financing it one-third each by employer, employee, and the federal government.

The Minnesota Democrat also asks that minimum benefit be raised from the present \$74.10 to \$100 monthly; that all benefits be raised 10 percent; and that employees pay social-security taxes on the first \$15,000 of their annual earnings (instead of the present \$7,800).

Several proposals have been made that benefits automatically be raised as the cost of living goes up.

Increasingly in recent months, another area of retirement income has come under attention here in Washington. That is the area of private pensions. Hearings were held this year both by Senate and House committees. Much information was uncovered that many persons who thought they were building up equity with their companies toward an eventual pension suddenly, disturbingly found themselves without job or pension.

#### PENSIONS VANISH WITH COMPANIES

Rep. Frank Thompson Jr. (D) of New Jersey summarized some of the findings of one House subcommittee: "Often the merger, sale, or other dissolution of an employing company has cruelly wiped out the financial retirement security built up over a lifetime of loyal service."

"Furthermore, the lack of portability, i.e., the right to transfer retirement credit from one fund to another [the way teachers and union members can] has too frequently locked employees into jobs that they might have otherwise left."

Mr. Thompson and others on Capitol Hill think the time has come for a thorough investigation of private welfare and pension plans, preparatory to writing legislation to see that employees' pension rights are pro-

ected for their retirement. A Senate subcommittee is studying a large number of pension plans to find out how many employees wind up collecting pensions, how many do not—and why.

Pension plans, welfare programs, social-security benefits—these are most important. But they are only one approach to the income problems of the elderly. Another is jobs—part time, sometimes full time, depending on the abilities and desires of those who wish them. Many want to work but cannot find appropriate jobs.

#### JOB RIGHTS RETIRE AT 65 TOO

Federal law, though sometimes violated, protects Americans from employment discrimination due to age until they reach 65. Then they generally find great difficulty competing with younger people in the job market—especially when it is as tight as it is today in so many fields.

Several small federal programs are under way that provide satisfaction, and some pay, for the elderly who wish to work—such as Foster Grandparents (but it has fewer than 5,000 jobs across the nation) and senior AIDES, which provides community-service positions and modest salaries.

It generally is agreed however, that far more could be done both by private interests and government at all levels. Positions could be established that need filling—with libraries, school systems, health organizations—to the mutual benefit of the community, the elderly . . . and their pocketbooks.

It is a subject to which Bert Seidman addressed himself two months ago at a meeting on vocational-rehabilitation policy, in preparation for the White House Conference on Aging. Mr. Seidman is director of AFL-CIO social security.

"The evidence is all around us," Mr. Seidman said, "of the great need for services in most communities—in hospitals and other medical institutions, libraries, schools, and many other areas."

#### "TREMENDOUS CONTRIBUTION" ENVISIONED

"With their long experience of work and life," he elaborated, "the elderly, including the disabled elderly, can make a tremendous contribution to the expansion and improvement of these vital community services."

"There is a dire need to enlist older Americans in public-service projects that would help their own communities become better places in which to live. Not just the public sector, but nonprofit private organizations as well can make available job opportunities in this important area of community service."

"Unfortunately, too many people have been sold the idea that employment under public sponsorship is 'make-work.' Nothing could be further from the truth. We all know in our own communities of the unmet need for socially useful and economically necessary activities which do not lend themselves to private enterprise but nevertheless could provide employment opportunities which would have great value to both older workers and society."

When the elderly talk about their problems stretching the income they already have, local property taxes invariably come up (70 percent of the elderly own their own homes). "We've paid taxes for years," they say in effect, "raised and educated our own kids—why can't the other people pay the real estate taxes now?"

#### FOR SOME HOMEOWNERS, A TAX BREAK

In a number of communities, elderly homeowners are eligible for reductions in property taxes. Other communities are discussing such a plan.

Federal income taxes give the elderly an additional exemption based on age. Rep. Paul Findley (R) of Illinois has just introduced a bill to provide a federal income-tax credit

to offset state and local taxes the elderly pay on their home property.

Mr. Findley told the House that "those whose annual income is under \$6,500 would be eligible, whether they own their own home or not. If they rent, the portion of rent which covers taxes would be computed."

"If their federal income tax is \$300 or less, they will be eligible for a payment from the U.S. Treasury instead of a tax credit."

These are some of the approaches being taken or talked about, as partial solutions to the income problem of the aging across the nation.

For the poorest quarter of the elderly the problems are severe indeed.

For elderly blacks, poverty is likely to be twice that of the whites; fifty percent past 65 are poor.

In rural areas the problem is worse: Two of every 3 elderly black residents are poor.

#### A STORY OF STOUT DETERMINATION

Most desperate of all is the plight of elderly black women who live alone. Says Sen. Harrison J. Williams (D) of New Jersey, a member and former chairman of the Senate Special Committee on Aging: "More than 83 percent—or nearly 9 out of every 10—live in poverty or are marginally poor."

A graphic example is the case of Mrs. Edna Richardson, a black seamstress, a widow. Mrs. Richardson lived in a rooming house deep in the Washington ghetto. She commuted four hours every day on buses to her job with a small dry cleaner's in Silver Spring, Md.

The long bus rides were physically hard for her. "But she was always here, always on time," says her boss. Customers were universally fond of her sewing skill, and of her smile and warmth.

Last June she began to feel "poorly." Twice she visited physicians, both times a serious condition was diagnosed and hospitalization recommended.

But Mrs. Richardson felt trapped in the cruel position of the not-quite destitute; too poor to pay hospital bills, yet, because she was working, not poor enough to have the government pay them for her. She couldn't afford hospital insurance and wasn't quite old enough for medicare.

#### NO QUITTING NO "CHARITY"

"She told me the only way she could pay for hospital care was to quit work and go on relief," says her boss. Medicaid—aid to the poor—would have paid. But she was too proud, too independent to quit work, to accept welfare, which she viewed as charity.

She decided instead to keep working and hope that nothing would happen.

One October Monday she didn't appear at work. Her landlady phoned instead: Mrs. Richardson, she said, had passed on the previous day.

She left no relatives.

People like Mrs. Richardson—and like Mrs. C., the widowed secretary who earns \$5,000 a year, are in our midst everywhere. They need assistance in varying degrees. Most of them feel that by now they deserve it.

"We're not asking for charity," says a New York septuagenarian. "We pay taxes, too. We've paid them for years. We've already earned more help—it's due us."

In Washington a delegate to this month's National Conference on the Black Elderly says the nation owes it to the elderly to see that they have adequate finances. For years "we dug the ditches," she says, and built the nation—"we who now are elderly. We deserve better now." And the New York Avenue Presbyterian Church rocks with applause.

#### NOT A MATTER OF YOUNG OR OLD

The National Council of Senior Citizens says, "This is not a matter of 'either/or.'" It says flatly that "a nation as wealthy as ours can afford to do more for its older people without decreasing its efforts for the younger generation."

The challenges are being voiced. The White House Conference on the Elderly soon will explore them.

The elderly wonder who is listening. They will wait to see how the nation responds.

[From the Christian Science Monitor, Nov. 19 1971]

LIFE WITH MEANING  
(By Robert P. Hey)

NEW YORK.—They sit and chat in the Cheery courtyard here at the Hudson Guild-Fulton Center for the elderly. They're several dozen elderly residents of New York's Chelsea area, which runs up Manhattan's West Side from 14th to 32nd Street.

Autumn's sun brings soothing warmth to the courtyard, an oasis of tranquility and greenery in an area which generally lacks both. As they sit, the seniors speak of their needs—usually with warmth, sometimes with heat.

They speak of financial needs, and medical ones. And they return again and again to the need of the elderly, like people of all ages, to have something to do, somewhere to go, someone who cares. They're personally fortunate, they'll tell you; there's plenty to do here at the center, and many who care. But most elderly elsewhere lack access to such centers.

And, anyway, the slights of society at large are etched deep upon these elderly here in Chelsea, as elsewhere. Most are lonely, and eagerly welcome attention. But society, they feel, has dismissed them and their needs with an airy wave of the hand.

Knowing what to do with themselves is a big problem for many American elderly in and out of New York City. In Manhattan you'll find many of them sitting outside and talking on warm days—in Central Park, on benches along upper Broadway. A few still sit in the traditional indoor places—Port Authority bus terminal on the West Side, and Grand Central Station.

HAVE SKILLS, WILL SHARE

Some retired businessmen gain much satisfaction through participating in the SCORE Program (Service Corps of Retired Executives), a kind of volunteer management-consultant service run by the federal government.

SCORE was begun during the mid-1960's. Some 3,200 retired businessmen are in its "pool" now. They're on tap by the Small Business Administration to aid small-business men whenever they seek help. They also aid many small-business men who receive SBA loans. Together they have a wide variety of skills and experience.

SCORE volunteers aren't paid for their services; and they are reimbursed only for incidental expenses such as parking and transportation if they have traveled 50 miles or more, one way, to the business they are advising.

Nationwide, SBA could use more volunteers, though in some places to which many businessmen retire there are more volunteers than requests—places like Phoenix, Ariz., and Miami.

Many retirement-age Americans, of course, find alternatives to just sitting. Some want to keep working, and do (although many large companies have mandatory retirement ages). Others find fulfillment in retirement by plunging into second careers, or concentrating on hobbies.

Some do volunteer work, or work in government-aided programs which pay them modestly. Still others take courses, or frequent the centers set up to provide companionship and services to older Americans.

Another avenue of service some retired Americans have found is the Peace Corps, and the organization often called its domestic counterpart, VISTA (Volunteers in Service to America). Both now are run by the federal government's ACTION agency. Comparatively

few older Americans have served in these agencies; but those who have report great satisfaction.

In all, 264 Americans 60 and over have served in the Peace Corps since its inception in the 1960's, according to latest available figures. The percentage of older volunteers, although small, is increasing. As of Oct. 31, 75 persons 61 and older were serving as Peace Corps volunteers in many nations—1.1 percent of the corps' total volunteers.

Sol Grieman is one of those volunteers. He retired three years ago at 65 as a plumber, heard the Peace Corps needed plumbers—and joined. He was sent to Caava Vocational school in Tegucigalpa, Honduras, to instruct youths in plumbing. Now nearing the end of his two-year hitch, he is training a Honduran to take over as instructor.

FROM PEACE CORPS TO VISTA

Mrs. Helen C. Baker, a great-grandmother from Spokane, Wash., has been a Peace Corps volunteer, too. She joined at 70 and went to Nigeria, where she taught English at a secondary school for boys. After her two years she returned home but quickly felt bored. She applied to join VISTA. She has served two one-year hitches as a VISTA volunteer, both times teaching Job Corps youths, and has applied for a third hitch.

VISTA has some 460 volunteers, like Mrs. Baker, who are 50 and over. During a one-year hitch they work in rural and urban poverty areas for a subsistence allowance—and a lot of personal satisfaction. As with Peace Corps volunteers, their tasks and experience are matched. Among the fields VISTA volunteers are working in: health, individual and family counseling, legal aid, tenants' rights, housing-code enforcement, mobilizing volunteer Big Brothers and Big Sisters, establishing local coop food stores.

Although "volunteer work" is a standard answer, sometimes volunteer offers are not accepted—though their expertise is greatly needed.

Two dentists in a retirement community in Florida—both highly skilled, much respected in the communities they had come from—tried to volunteer their services through the local dental society.

IT WOULD GIVE SUCH SATISFACTION

They'd work in a dental clinic—anything, anywhere. "There must be plenty of children who need dental work," said one dentist. "There are many poor areas near here."

"I don't want money—I told them that. I don't need it. It would give me such satisfaction to help these children, something like three mornings a week."

Unquestionably his services, and his colleague's, could have been well used. But they were rebuffed: "They didn't want us."

As it happens both men, like many others, enjoy their retirement community, although they could wish for volunteer opportunities in their profession. But some persons pack up and head for a retirement community without planning what they'll do when they arrive and wind up lonely for former friends and surroundings. Some pack up all over again and return.

John Chase is one of those still on the job. He is a topflight Philadelphia toolmaker at 73. Every year now he talks vaguely of retiring, but really is delighted to continue when his boss asks if he wouldn't consider working "just one more year."

"After all," he says quietly, "I have no family. What would I do if I retired?"

So he keeps making tools 49 weeks a year. The other three weeks he watches the sun set across acres of wind-whipped corn and alfalfa, on a dairy farm in Pennsylvania's Lancaster County. Technically Mr. Chase is one of several paying guests. But his reticent farm wife says that "John's been coming here so long we really think of him as one of the family."

In New York City, a fine restorative den-

tist is back in business part time after several years of retirement. He still finds the challenge of difficult restorative jobs very stimulating—the harder they are, the more satisfaction he derives. This fall he completed the most complicated restoration he has ever undertaken.

When it comes to working beyond usual retirement age, self-employed like the dentist have a distinct advantage: They can keep on if they wish. Most people who work for others, like Mr. Chase, are less fortunate than he. If they want to keep working it generally is up to their employer, or company rules, whether they can.

SELF-EMPLOYED RATIO SHRINKING

Comparatively few working Americans are self-employed—only about 7 million of the total working force of 80 million. This percentage has been shrinking steadily in recent years as the number of working Americans has been rising, but the number of self-employed has not.

Business executives, retiring earlier, increasingly have begun to carve out second careers—like the upper-echelon New York executive who became a college professor. He combined his years of experience in business (which he didn't like) with university teaching (which he enjoys)—by becoming a professor of business subjects. He's working as hard now as ever—and he's much happier.

Other people have found similar fulfillment in retirement without a second career. But it takes planning—and, as throughout human experience, a willingness to give of oneself.

One who has found such fulfillment is a social worker who retired, after much thought, from a horn-honking Northeastern city to the serenity of a little Cape Cod, Mass., town. Friends admiringly say he and his wife, in retiring, "did it right."

He said he'd seen too many men just hang around after retirement, worrying about their former company, "waiting for someone to ask their advice, and no one ever does." He decided "to start over" in retirement—to plunge into a new community with zest, rather than slow down in the same old city.

After two years of looking he and his wife found the right building lot—with a harbor view, yet within their budget. They bought and built. And became immediately involved in their adopted town's affairs—no mean feat in a New England town. He's on the library board; both avidly attend town meetings.

For this couple retirement is happy, satisfying, exhilarating. But it took a great deal of prior planning.

Retirements like these also require a modest amount of money, to enable the retirees to afford a reasonable standard of living. Unfortunately most people reaching 65 don't have enough money; every fifth person over 65 is poor by government standards. And among the nation's 20 million over age 65, millions of others have so little money that they cannot afford to go much of anywhere, nor do much of anything. These are the people most prone to feeling unneeded, useless.

Both government and private social agencies are helping to meet this need. Several comparatively small government programs are aiding the elderly, especially the poor—providing both meaning and extra money.

In many cities private and public agencies provide social centers and varying amounts of services for the elderly, primarily the needy elderly.

NEED FAR EXCEEDS PROGRAMS

But the need far outstrips existing programs, and the money isn't there to expand them. Nor, some say, is the national will.

Foster Grandparents is the best known of the government programs. Begun in 1965, it provides inestimable satisfaction to two



groups of people who need it: low-income elderly, and deprived or handicapped children, primarily those in institutions.

Now 4,400 elderly are in the program. Each spends two hours a day with each of two children—talking, visiting the zoo, showing that somebody really cares. And setting up that special and mutually beneficial relationship—the one between grandparent and grandchild.

To supplement their income the elderly are paid \$1.60 an hour, the minimum wage.

But the need far outstrips the program. The Nixon administration asked for \$10.5 million for the program for the current year; Congress gave it \$12.8 million. That enables the program to enroll only the 4,400 older Americans.

A source close to Foster Grandparents laments that "it's a program that could be multiplied immediately, but for lack of funds. They have such a long waiting list for people who want to become foster grandparents. And the need for them in institutions is just enormous. It's shocking, really."

The Foster Grandparents program does not advertise for elderly grandparents. But every time a major newspaper runs a story about the program it is deluged with requests from the elderly to join. Program officials estimate that there are eight applications or requests for information for every vacancy.

The foster grandparents find their relationships with the children very meaningful; many remain in the program year after year. In Detroit, for instance, 36 of the 40 original "grandparents" in the program when it started five years ago still are in it today.

The Foster Grandparents program is administered now by ACTION, President Nixon's new agency in charge of volunteer programs. Another ACTION program also deals with service by the elderly—RSVP, which stands for Retired Senior Volunteer Program. Authorized in 1969 by Congress, it is just getting under way. No RSVP programs actually are being processed. They will be operated by nonprofit organizations.

#### MORE VOLUNTEER OPENINGS SOUGHT

Under RSVP, Americans over 60 are to be aiding in schools, hospitals, libraries, welfare agencies. They will not be paid, but will be reimbursed for out-of-pocket expenses, such as transportation between home and work.

Nobody will say so publicly for fear of raising false hopes, but people running RSVP hope that in short order they can gear it up to providing volunteer opportunities for 25,000 people.

Somewhat similar to RSVP is senior AIDES, now in its fourth year. Jobs are similar, but persons in the AIDES program are paid, an average of \$2.15 an hour.

From anti-poverty funds the federal government is spending just over \$3 million this year on the program, which is administered by the National Council of Senior Citizens. Local nonprofit sponsors add nearly \$400,000. With that money 1,150 low-income men and women over 55 are employed 20 hours weekly in community service jobs. The AIDES program operates in 21 communities.

In addition to these and other federal government programs, many states, communities and local organizations have their own programs. But here, too, need exceeds supply.

In New York City, where 1 million of the nation's 20 million elderly live, several different kinds of programs exist. At one end of the spectrum is the comprehensive approach, such as the FIND Hudson Guild-Fulton Center, on Ninth Avenue.

The center offers area senior citizens many activities and classes—painting, sculpture, sewing, ceramics, French, Esperanto, bridge, stamp collecting, gardening. There are shuffleboard courts, a piano, and a lovely

patio with a garden to sit in. Also listed are special events, like last August's boat trip to Bear Mountain.

Two center staffers help cut red tape for people with special problems. Once a week a physician comes to the center.

Every noon the center serves a nutritious, low-cost main meal; from 125 to 150 of the seniors partake.

A most important element of the center is the personal contact which it gives. Mrs. Gertrude Wagner, center nutrition specialist, talks specifically about the noontime meal, but the idea applies throughout the center activities.

"The biggest part of our project is the group setting, which has the following advantages:

"These people are likely to be isolated. I would suppose that maybe 60 percent of our people are single, living by themselves. And even if they have kitchen facilities, they don't use them very much . . . and pretty soon malnutrition takes over.

"It's a vicious circle. They're lonely, so they don't eat. And then their health fails, and they're more lonely."

#### FUNDS NEEDED FOR CENTERS

But as much as the center does, even more is needed, officials say. Mrs. John Wasserman, center chairman, says that to meet fully the needs of the elderly more staff members would be needed to go into the homes, more social workers, a bus or station wagon for transportation, and more money to buy additional services. Operating a center at this high level of services, she estimates, would cost about \$350,000 a year. And many centers are needed across the country.

That's the major problem—the \$350,000. Mrs. Wasserman's center has a good deal smaller budget; no one knows where enough money could be found to finance the many centers needed across the country, at \$35,000 per center per year.

Twenty-six blocks north of this center another idea has been in operation since June. It's a free coffeehouse for the elderly under the auspices of Project FIND. On a slimmed-down budget of \$35,000 a year the center offers space in a renovated brownstone for the elderly to relax, sip coffee, and talk. And, especially, to enjoy each other's company.

Mrs. Elizabeth S. Trebony, executive director of Project FIND, says New York City's Welfare Department currently runs 60 day centers for the elderly, each annually costing about \$100,000 (including value of rent-free space they occupy).

"Every 20-block area ought to have a day center," says Mrs. Trebony, "but at a cost of \$100,000, this is impossible to imagine. So my idea is to have places like this." In slums where rents are lower, she believes, costs could be held below \$30,000.

One point on which Mrs. Trebony and Mrs. Wasserman would agree is that more—much more—needs to be done to aid the nation's elderly.

From all sides in American society today comes clamor to reorder national priorities. Many groups seek more of the national attention, more of the national funds. Spokesmen for children do, and others seek more for blacks, the Spanish-speaking, and American Indians. More is needed for education, the environment and the consumers who inhabit it and funds are solicited for more mass transit in cities, and better housing everywhere.

And, oh yes, more is needed for the elderly. They recognize the needs of the others, and hope that they are not elbowed out in the frenzied struggle for attention and funds.

In 1958 the late Rep. John E. Fogarty introduced a bill calling for a White House Conference on Aging, which subsequently was held in 1961. At the time he said: "In

spite of the many surveys, books, and conferences on aging, the greatest accomplishment to date has been the output of words."

More than words have rolled out of Washington and elsewhere since then. Medicare was enacted. And Medicaid. Several modest social-security-benefit increases were passed; so were various housing and service programs. Yet the continuing need for outstrips these programs; and some of the smaller service programs which should be expanded must be fought over annually even to be preserved.

To most who work with the elderly, the biggest need today is for a firm national policy toward the elderly—a national decision of what should be done, and a national commitment to do it. That's what the elderly want, too; but they aren't holding their collective breath either.

Thus the elderly view this month's White House Conference on Aging with interest—but great skepticism. Will it be yet another flood of words, and trickle of action?

Or will it stimulate concrete help for the elderly—help that will come soon?

The elderly hope so.

#### THE AGED OVERSEAS: HOW DO THEY FARE? (By staff correspondents of The Christian Science Monitor)

*This article was compiled by staff writer Florence Mouckley from dispatches written by Monitor correspondents John Allan May in London, Henry B. Ellis in Bonn (who included information from many visits to Sweden), Elizabeth Pond in Tokyo, and Charlotte Salkowski in Moscow.*

BOSTON.—With the United States still gyrating to the rhythm of the young, in Great Britain a new, measured beat is being heard. The elderly person is slowly being brought back to a meaningful place in society.

Compared with other industrialized nations, Britain has a foot out in front. As more and more of the physical requirements of the elderly are being met, public and private agencies are responding to their need for companionship, for usefulness, and for being a part of the mainstream of life.

For instance, some 600 day centers and 7,500 social clubs for the elderly dot the country. Many of these are provided by local town governments and county councils. Others are endowed by voluntary services.

In every town in Britain a wide range of "leisure-learning courses" is available. And more and more elderly folk are helping in the social services, in libraries, and on local sports, social, and political committees. Workrooms are being set up by most local authorities to provide those who want it with part-time light work.

#### OLD ORDER CHANGES SHARPLY

This movement to include the elderly in the ongoing life of the nation marks a dramatic change in Britain.

It would be almost true to say that even 10 years ago the elderly had no position. The days when "grandma" presided over the family and was taken along on all its outings has already gone.

Most housing was getting too small and expensive to allow the majority of young people to have parents living with them. People in the geriatric wards of hospitals and in "homes" were half-forgotten and tragic actors on the social scene. Most of the poor were old and most of the old were poor.

This situation has changed. But the change still has a long way to go before it is complete.

Some 7.6 million citizens are past the age of 65 in Britain. There is provision, although it is small, for a basic pension for every one of them. And a system of supplementary benefits ensures that those with no other re-

sources receive a basic income of at least 6.30 (15) a week above the cost of their rent or accommodation.

Meanwhile, a new pension plan, due to be passed into law this year, will in time ensure that everybody in retirement has an adequate pension, related to earnings during his or her working life, that will be automatically adjusted to take account of inflation.

#### MAJORITY KEEP WORKING

However, despite these pension provisions, 6 out of 10 men over the age of 65 still prefer to stay on at work. With pensions at their present levels the majority must work after retirement if they are to maintain a reasonable standard of living.

And it remains true that one-third of all the retired folk in Britain need Supplementary Assistance to keep them above the poverty line.

It is also the case that the number of special houses and flatlets for the elderly needs to be quadrupled.

"Every day we find old people who somehow have been left out of things," says Mrs. Jill Battersby, a Women's Royal Volunteer Service (WRVS) social worker. "There are hundreds of cases still that are precious close to tragedy."

But the numbers are steadily being reduced. Mrs. Mary Simmons, for instance, worked for 60 years as a "char" (domestic). At 75 she retired. She now lives in a one-bedroom, single-story house on a council estate (public housing) in one of the most expensive areas for private housing in Britain.

"Oh, I am lucky," she says; "this is a lovely house. I can live very well on my pension really."

Local authorities now build about half the houses in Britain. Of these, one-quarter are specifically for the elderly. The rate of building old folks' accommodations is 80,000 units a year. In addition, more than 5,000 housing associations are concerned exclusively with the elderly.

#### MEDICAL SERVICES LARGELY FREE

Medical services are provided largely free. One-third of total National Health Service spending goes to care for the elderly, who are also exempt from prescription charges on recommended medicines.

Last year half a million older people took advantage of the home nursing services provided by the local authorities. Some 373,000 had "home helps" provided for them and 828,625 enjoyed free chiropody treatment. Volunteer agencies provided 21,561,819 "meals on wheels"—some 14 million served to the aged in their homes and the rest at social clubs.

And an increasing number of local authorities are furnishing even such things as laundry services.

Sweden, which has probably the most comprehensive social-welfare programs of all industrialized nations, is just beginning to grapple with the need of the elderly for companionship and stimulation.

With physical needs now met, loneliness is the prime problem. And Sweden must also deal with another, unique aspect of the loneliness problem: a traditional stiffness and aloofness among its people.

For centuries Sweden was a farming country. Isolated by geography and by long, severe winters, families looked only to their own members and the immediate community for social contact. Activity orbited around home and family.

But with industrialization and the move from farms and small communities to the cities, the extended family system broke down.

#### MORE THAN THE CLINICALLY MODERN?

With the close contact with the family severed, many elderly people were forced to

live on their own, either in government-subsidized homes or in their own flats. And with the Swedish tendency toward diffidence, the elderly find it extremely difficult to make friends and find a new life.

More and more Swedes acknowledge that they have planned for the elderly—retirement benefits, health care—but not in the sense of finding out what they themselves really want. The Swedish Government and public are coming to realize that the clinically modern apartment blocks and the impersonal caring for physical needs are not the answer for the elderly.

To bring the aged out of their isolation, Prime Minister Olof Palme hopes to inaugurate "continuing education" in Sweden—the opportunity for Swedes of all ages to return to school at government expense. Although not directed specifically at retired people, this program would include them.

Echoing the Swedish situation, a social worker in West Germany says: "What the elderly need above all is stimulation to make their everyday lives a bit different. Over and over, as I go from one old people's home to another, that is what I hear."

"Most people in homes feel they are well taken care of," the social worker continued. "They acknowledge this, then they sigh and complain that one day is just like another."

Both Sweden and West Germany have comprehensive socialized-medicine programs that antedate the American Medicare program. In addition, many Germans take out extra health insurance through private plans. Thus old age is not the financial burden on families that it is in the United States.

As in Sweden basic living needs of West German elderly are met adequately. All workers contribute to compulsory old-age insurance, with their employers giving an equal amount. Men are eligible at 65; women at 60. And the pension rises automatically with increases in the cost of living.

Housewives who have never worked do not get a pension, though they share as wives and widows in their husband's pensions. Legislation being prepared will give housewives a pension for the years of work within the home.

The traditional pattern of the "old folks" living with the younger generation is largely superseded in West Germany. When, for example, East Germany allowed pensioners to visit their West German families for a month each year, remarkably few elderly East Germans remained in the West. Almost all returned to East Germany to their own homes, rather than start living with their grown children.

#### HOUSING AMPLE, STANDARDS VARIABLE

Unlike the United States, there is no serious lack of housing for the elderly in Sweden or in West Germany, both of which build large numbers of "social" housing complexes—that is, supported by government funds with low, controlled rents.

Those elderly who, for one reason or another, cannot live on their own find places in either private or public homes for the aged. Here the quality varies greatly and, in West Germany, at least, there are inadequate controls on how such private homes should be run.

Recently the West German press has stressed the loneliness problems of the aged, portraying them as often exploited by those who run old-age homes.

There is a need for additional facilities for the elderly as the percentage of those over 65 increases.

Japan, rocketing onto the world scene as a major industrialized nation, was late among nations in this category in adopting social-welfare programs for the elderly, since traditionally they have always been cared for by their children.

Throughout history Japanese families have

respected and honored their elderly in obedience to Confucian ethics. Japan's whole system of loyalties was shattered by the country's defeat in World War II, however, and filial piety was not exempt. And, too, the explosive postwar industrialization and urbanization, with their population mobility and increase in nuclear families, further undermined the old family system.

#### MEN AT THE TOP VERSUS LOSS OF PRESTIGE

Now there is a wide gap between the men in their 60's and 70's who hold the top political and business leadership posts and the vast majority of elderly, who no longer enjoy the prewar prestige of the aged.

The vast majority faces compulsory retirement at 55.

There is a growing literature, both factual and fictional, on the uselessness, loneliness, and even obsolescence that many of these men feel.

Financial provision for the elderly is most inadequate. However, the Finance Ministry has just come out with a plan (which will probably be adopted) to increase social-welfare benefits next year.

Yearly income-tax exemptions for dependent elderly would be increased from 140,000 (about \$425) to 160,000 or 180,000 yen. Exemptions for working elderly would also be raised from the present 120,000 yen.

Also, a combination of national and local governments would pay half the costs of private medical insurance for those 70 and over. Old-age pensions (for those 70 and over) would be increased from 2,300 yen a month to 3,300 yen (about \$10).

According to a survey by the Social Welfare Ministry made last June, 540,000 elderly (men 65 and over and women 60 and over) live alone, often in extreme poverty. Of these 170,000 can afford to eat only two meals a day; 86,000 are bedridden.

#### ABOUT A THIRD SUPPORT THEMSELVES

In more general terms, according to Fumio Miura, section chief in the Welfare Ministry's Social Research Institute, about 30 percent of the 7 million elderly population support themselves; 50 percent are supported by their children; and 10 to 15 percent are supported by the government.

There are no company pensions in Japan. There is a lump-sum payment on conclusion of employment, but this does not cover further needs.

The first government pension program really got started only in 1954. It is financed by funds collected in both company and worker payments over 20 years of employment, supplemented by government money.

At best this gives the pensioner only about two-fifths of the salary he earned while working. And the program has not been in operation long enough for anyone to qualify yet for this maximum pension.

If a man is forced to retire at 55, he may find he has his most pressing financial needs immediately after retirement, for with frequent late marriages in Japan, he may well still have children to support and educate.

A measure of the inadequacy of pensions is seen in the number of people who work after retirement. Over the past decade this has increased to 87 percent. With Japan's labor shortage, retirees can find jobs, but these are often menial and low-paying ones like parking-lot attendants.

#### GOLDFISH PONDS AND PERSIMMON TREE

About 80 percent of the aged live with their children. This percentage, which is just the reverse of the Western ratio, has remained constant since 1955. Some 19 or 20 percent live alone; 1 percent live in old-age homes.

Mrs. Toshi Higuchi, 70 years old, is one of the fortunate elderly people in Japan, but still her situation is not ideal. She lives alone in a new mountain house built by her



daughter and son-in-law in a resort area of Nilgata. She enjoys planting roses and cosmos and watering her garden, which is quite large and contains two goldfish ponds and a persimmon tree. She lives 15 minutes by car from the train station, and there is a good road to it.

But it's difficult for an old woman to get up and down much. She was in the hospital for 50 days recently but is back home now. The daughter (her only one) and son-in-law live in a bakery, a 15-minute train ride away from the station. Her granddaughter is married and living far away in Kyushu. Her grandson is living rather far away, studying baking in Tokyo. When asked to compare the way older people are treated now with prewar days, she replied: "I have nothing to say, because I am happy. Things are taken care of, but when it comes to evening time, I feel very lonely. . . . If I had a maid living with me I wouldn't be lonely, but then I would have to think about this and that for the maid all the time, and I wouldn't like that, so I stay alone."

#### A FREE MEDICAL CHECKUP—PERHAPS

In theory the Japanese Government provides the elderly with a free medical checkup once a year. But only about 20 percent actually take the checkups. The places of examination are often too far away or inconvenient for the elderly to get to. Also, there is a strong disinclination to have the examination, since at best the elderly person would still have to pay half the costs; and at worst he would have to pay all. Many an older person just cannot afford medical attention. And there is at present no public health insurance for the aged.

The ruling Liberal Democrats are planning free medical care for older people, but it's slow in coming. It will cover those past 75 next year and only eventually cover those past 70.

Efforts to make life meaningful for the old in Japan are limited.

Prefectural (state) governments have some social-welfare centers with daytime activities. The Welfare Ministry tries to provide some club activity, too, but these attempts do not even scrape the surface of the need.

A promise on the horizon: The problems of the aged have become an important issue in Japan and no political party can afford to ignore them.

In the Soviet Union, although retirement age is 60 for men and 55 for women, countless Russians continue to work either to supplement meager pensions or because of professional interest. Many scientists, economists, actors, and musicians—as well as the country's political leaders—are in their 60's and 70's.

#### MANPOWER—AND CONTENTMENT—SOUGHT

And most significant, because of a growing shortage of manpower, a concerted effort is under way to enlist retired persons back into jobs. Aside from the value to the economy, it is recognized in the Soviet Union that activity keeps older people healthier and happier. Some planners suggest that special light manufacturing plants be built that would hire only elderly persons and that part-time work be provided more widely where feasible.

Parallel with other societies is the disappearance of the traditional Russian patriarchal family, in which two and three generations lived together and the elderly "babushka" looked after the children. Young married couples today prefer to live alone, and the contemporary grandmother is less inclined to spend her senior years tied to family chores. Hence care of the aged is a growing concern in Russia.

Old-age pensions are paid to male wage earners at the age of 60 and to women at the

age of 55. The minimum pension was raised this year to 45 rubles (\$50) a month and the minimum monthly pension for collective farmers to 20 rubles (\$22). The maximum pension based on years of employment and size of earnings, is 120 rubles. As a measure of comparison, the present average Soviet factory wage is 122 rubles a month.

#### FOR HALF, LESS THAN 50 RUBLES

Unlike most in the West, Russians do not contribute to the state pension fund, and pensions received are probably a higher percentage of average earnings than in most countries. However, they are also extremely low in relation to food prices. Western economists estimate that at least one-half of all retired persons have to get along on less than 50 rubles a month, which is below the official minimum living standard.

Certain types of hard labor, such as mining, carry earlier retirement benefits, as do jobs in remote and difficult parts of the country.

In the sphere of public health, the Soviet Union has an extensive system of free medical care (apart from the cost of medicines).

There are reported to be 100 geriatric consulting offices attached to medical institutions throughout the country now, and the first comprehensive geriatric polyclinic has been opened in the city of Tashkent.

With 12 percent of the Soviet population above the age of 60, problems of the elderly are being talked about more these days. Geriatrics specialists would like to see the construction of special rest homes, clubs, and even dietetic restaurants.

#### NEED FOR SPECIALIZED HOUSING SEEN

They would also like to see more specialized housing for the elderly.

Housing in general is in short supply, with an estimated 40 percent of the population still living in communal apartments—two or more families per apartment. But rents are subsidized by the state and are minimal by Western standards. Collective farmers, for their part, own their own houses.

According to a Soviet report, about 250,000 aged persons and invalids are cared for entirely by the state in special homes, of which there are some 850 in the huge Russian Federation. There is also special (and better-quality) housing for retired scientists, writers, and other privileged members of the intelligentsia.

Soviet specialists say the needs of the elderly are far from met and they urge construction of more boarding homes for the aged, with places for 100 to 400 persons in the midst of normal urban communities. The current five-year plan (1971-75) also calls for more homes for the aged.

#### NURSING HOMES CAN BE STARK DESPITE BONANZA

(By James R. Polk)

WASHINGTON.—Despite a billion-dollar bonanza from the federal government, America's nursing homes are a stark and lonely place to die. Abuses in money and medicine, an air of death and despair shadow the aged through the dusk of their days.

Studies show some doctors rarely see their nursing home patients. Nurses use drugs freely to restrain the elderly. Mental patients are dumped into nursing homes by the thousands. And fraud feeds on the federal dollar.

Through Medicaid and Medicare, the government suddenly has taken over financial responsibility for most of the nursing home care in this nation. The taxpayer now pays \$2 out of every \$3 pouring into private nursing homes.

Profits are healthier than ever. But other ills fester—tough federal regulations have been slower than federal dollars in reaching nursing homes.

For this hidden million Americans, the end can be an empty, grim, even degrading tragedy.

#### STEAL PATIENT'S SAVINGS

The Associated Press, in an extensive nationwide study of nursing homes, found facts and cases like these:

In El Granada, Calif., a nursing home operator is accused of stealing a dying patient's savings of \$13,000 after she and a lawyer lifted his feeble hand to guide his signature on a legal paper.

In one of the largest nursing homes in Cleveland, Ohio, a patient wandered away from his room and strayed into a crawlway where he died. His body lay there, decomposing; for more than a year until a maintenance man stumbled across it this spring.

A suburban New York City nursing home billed Medicare for nearly \$400,000 for physical therapy in one year. When the government tried to recoup part of the money by suspending Medicare payments, the nursing home discharged all its Medicare patients.

#### DOCTORS MAKE "MASS VISITS"

Some physicians, dentists, X-ray firms and other medical specialists have been accused by Senate investigators of making profitable "mass visits" to nursing homes where patients are plentiful. Records show one doctor who operates his own nursing home in Jefferson, Texas, billed Medicare last year for 4,560 visits to just 54 patients.

For the most part, however, doctors' care in many nursing homes across the country is so scarce that it is a national scandal. In one large home in Topeka, Kan., a survey showed three-fourths of the patients checked had not been seen by a doctor in at least half a year.

Tranquillizers, sedatives and other drugs are used in abundance to keep patients quiet. Doctors agree to prescriptions over the telephone to nursing homes without examining their patients. One Michigan woman was thought to be speechless for two years until a new doctor stopped the sedatives and found she could talk.

#### TURN DOWN PATIENTS

Nursing homes have become warehouses for elderly mental patients that state hospitals turn down or turn out. Few homes have any hint of psychiatric care, and most use drugs—or keep the patients belted in chairs. A woman who spent almost 50 years in a mental hospital now sits and stares in a Detroit nursing home, tied in a chair.

Regular hospitals, faced with serious overcrowding, sometimes discharge hopeless cases and ship them to nursing homes to die. An American Medical Association spokesman said, "I know it sounds harsh, but a hospital serves no purpose for these patients."

Perhaps most distressing, studies show nursing home patients may die quicker than ailing patients on the outside. For example, when Dr. Morton A. Leiber of the University of Chicago examined the cases of 800 elderly persons, he found that the mortality rate of those on the waiting list to enter a nursing home was 10.4 per cent, while that of those already in a nursing home was 24.7 per cent.

#### PROVIDE ADEQUATE CARE

The researcher also cited five other studies which "reported marked increases in mortality rates for aged persons entering mental institutions or homes for the aged."

The AP survey showed that in many nursing homes the patients receive compassionate attention and adequate medical care.

All told, nearly a million people are confined to the nation's 23,000 nursing homes and other homes for the aged. Most are past 75. And, studies have found, many patients are senile or mentally confused, their minds fuzzy with the cobwebs that come with old age.

The old are also the poor. And because of this, the federal government has made nursing homes a rich business.

#### PAYS HEALTH COST

Medicaid, the vast federal-state program that pays the health costs for the poor, now pumps more than \$1.1 billion a year into private nursing homes.

Other federal programs, including Medicare, which pays for brief stays in nursing homes after patients leave a hospital, raise the total outlay by the taxpayer to \$1.6 billion, more than two-thirds of all the money that nursing homes took in last year.

About 90 per cent of the nation's nursing homes are run for profit. And with the government now paying for care that the old and needy couldn't afford before, business is booming.

The president of Four Seasons, one of the biggest and best nursing home chains, has reported an anticipated annual pretax profit of \$1,000 a bed.

The owners of a rural home in Tennessee reached that profit figure on welfare payments of less than \$2,000 a year per bed, a hospital official said.

#### NURSING HOMES INCREASE

More than 50 nursing home chains have burst onto the stock market in the past two years as prices soared. Four Seasons went on sale last year at \$11 a share. Now its stock is selling at \$60, and that's after a 2-for-1 split.

The big boom has built hundreds of new nursing homes, with shining equipment, soft carpets and smiling administrators, to replace the fetid, faded boarding houses of a past era.

Real efforts are being made today at recreation and physical rehabilitation. Many homes attempt therapy programs. The facilities are cleaner, more modern, more attractive. And there has not been a disastrous nursing home fire for nearly five years.

#### FEWER NURSES, LESS CARE

But the better carpeting does not always mean better care. In the money-minded world of big business, profits can depend on keeping the basic cost of medical care as cheap as possible.

"You tighten up on nurses—fewer nurses, less care," said a small Los Angeles chain's nursing home administrator, who didn't want to be identified.

"And if you've got too a short a staff, you keep the patient snowed on drugs," said a Los Angeles public health official.

A recent California study has shown more Medicaid money is spent on tranquilizers than on any other group of drugs.

#### MANY GET TRANQUILIZERS

In Minneapolis, a random check of a nursing home's medicine cabinet found 8 of the first 10 patients were getting either thioridazine or chlorpromazine hydrochloride, two of the most popular tranquilizers which leave patients drowsy, listless and easy to handle.

In the same home, a 92-year-old widow was seen tied into a chair with a bedsheet.

Physical restraining straps, as well as drugs are not uncommon for the feeble, for the confused, for the mentally disturbed.

"There is nothing that is so horrible and terrifying to older people than to think they might end their days in a nursing home," said a 74-year-old Philadelphia widow.

"They pray to get sick on Tuesday and die on Wednesday."

A psychologist at the University of Chicago, Dr. Morton S. Lieberman, has found in studies that fear and shock may actually hasten death for the nursing home patient.

In comparing elderly patients on the waiting list for a home for the aged both before and after their admission, Dr. Lieberman found the death rate more than doubled

upon entrance into the home.

He said, "They're right—it is a death trap—even in the homes that try."

#### NOTE PROGRESS, FAULTS OF CARE FOR AGED

(By James R. Polk)

WASHINGTON.—In 10-below-zero weather, the sick and old patients huddled close to the single small-bellied stove in a railroad boxcar that had been turned into a nursing home.

The Minnesota inspector remembers that shock vividly, even though it was 10 years ago. It is a measure of how far nursing homes have come today.

"The day of the old urine-soaked outhouse is gone forever," said Edward Walker, president of the American Nursing Home Association, who owns three Oklahoma homes.

Nearly half of all nursing home facilities have been built in the last five years. Private rooms are replacing crowded wards. Fire, once the greatest fear, is fading into the past. And medical care is improving.

#### PROGRESS NOTED

"With all of our faults today, we've made tremendous progress," said Walker.

Both the faults and the progress come to rest on the federal doorstep.

The \$1.6 billion annual flood in federal money that has made the government the greatest supporter of the nation's nursing homes has brought care to thousands of old persons and has triggered the explosive building boom in new facilities.

But critics question whether payments have been put ahead of patients.

Medicaid, the vast federal program of health care for the poor, and Medicare, the federal insurance plan for the elderly, have paid for the bulk of the nursing homes' spectacular spurt in growth.

Taxpayers support for nursing homes has tripled in the past three years. Nursing home revenue has shot up by \$1 billion, all from the government.

#### STOCKS ON MARKET

More than 50 nursing home chains have burst upon the stock market, where their prices have skyrocketed. Four Seasons, one of the most modern and fastest growing chains, is making profits 9 times as high as it was two years ago. And its stock, now selling at about \$70, is worth almost 13 times as much.

Extencare, another major chain, gets 82 per cent of all its money for a large group of Oakland, Calif., area nursing homes from federal programs, according to records on file with the Securities and Exchange Commission.

The Healthcare chain's homes in Massachusetts get 78 per cent of their revenue from the same sources.

The head of Medicare operations for the firm that handles New England payments, Travelers Insurance, was serving on the board of directors of another Massachusetts chain, Geri-Care Nursing Centers, until warned by federal officials of what one senator called an open and blatant conflict of interest.

#### U.S. FUNDS HELP

Medicare not only pays for daily care for limited stays but also helps bankroll construction by paying depreciation and interest costs, too. Another government agency, the Federal Housing Administration, helps by backing most of the mortgage amounts on private nursing homes.

One doctor in an Ohio suburb has reported more than \$140,000 annual profits on the nursing home he owns.

High payments have brought a siege of scandals for Medicare. But the revolutionary health plan, fought hard by doctors only a few years ago, has succeeded in pioneering the tough new standards needed badly by many nursing homes.

Medicare demands doctors' visits to each patient each month. It requires around-the-clock supervision by trained nurses. It sets stringent rules for drug usage. And, under Senate prodding, its officials have been patrolling the program closely in recent months.

#### ENFORCEMENT IS FLIMSAY

But Medicaid has moved more slowly. Not until the last few weeks did Medicaid finally match Medicare's standards on doctors and drugs. The regulations are still temporary, and enforcement remains flimsy.

Medicaid is the major money program for the nation's nursing homes. Medicare pays for only a brief stay for the elderly after they leave a hospital. But because the old are also often poor, the lesser-known Medicaid program pours \$1.1 billion a year into nursing homes for their patients.

Medicaid funnels the funds through the states, which pay for a share of the costs and handle all the enforcement. The latter often has been lax.

In Wisconsin, a 317-home in Milwaukee went without a regular state inspection for more than 2½ years even though the last checkup in early 1967 resulted in a four-page list of alleged violations.

#### WOULD CLOSE MANY

In Nashville, hospital administrator O. David Stringfield said, "If the state of Tennessee would be as firm as it could be, I would wager that 30 to 50 per cent of the long-term care facilities in this state would be closed down overnight."

Action, when it does come, is often taken quietly, without public knowledge. A Minnesota inspector told of an 87-year-old woman who died after being pushed off balance against a bed by an angry nursing aide. Officials used the coroner's photographs, she said, to close the home and force its sale to another firm, but no prosecution was attempted.

Many states' inspection procedures concentrate on obvious violations like food and fire, and few really probe the question of adequate medical care.

Doctors are still rare visitors to nursing homes, and some states, like California and Pennsylvania, don't specify how often they should see patients.

#### CAN BE BEWILDERING

Drugs are prescribed freely over the telephone by absentee physicians. And the mentally ill, often turned away by crowded state hospitals, are mingled among other patients and kept subdued by sedatives or restraining straps.

Telling the difference between a good nursing home and a bad one can be bewildering for a relative.

A modern new facility may lack frequent doctor's visits, especially if it is on the outskirts of a city. An older home may be spotless inside with kind nurses and conscientious care. One home may scrimp on food, and another may be careless with drugs, and still another may have a shortage of nurses.

#### THRESHOLD OF OPPORTUNITY

But Medicaid stands now on the threshold of opportunity for dramatic improvement. From interviews with state and local officials and nursing home operators emerges this consensus on what can be done:

Medicaid has on paper the requirement of a minimum of one doctor's visit a month. Now it has to enforce it, with the full threat of ending payments to nursing homes that lack the care. And the American Medical Association can help by following the example of the Knox County, Ind., Medical Society which checks to make certain nursing home patients are visited regularly by its member physicians.

Medicaid can write into its future regulations a minimum number of nurses, accord-



ing to the size of the home, to assure adequate care of patients. It requires only one nurse a shift now, even for a 120-patient home. State laws vary widely, but most require more than Medicaid.

#### NEW RULES WRITTEN

Medicaid has written in its new regulations a set of tighter standards on drugs and telephone prescriptions by doctors. One section requires a monthly review by doctors of all drugs used by patients. But this, too, will need enforcement at the state level that is not being carried out so far.

Medicaid can add needed policies on mental patients. For example, Minnesota's state regulations define any patient who requires restraining straps as mentally disturbed and forbids keeping such persons in nursing homes. Unfortunately, this also is enforced spottily even there. And Medicaid has no national policy at all.

Walker, the ANHA president, said current Medicaid and Medicare standards already are weeding out the poorer facilities and predicted, "In the next three years you are going to see a dramatic change in nursing homes in America."

[From the South Bend Tribune]

#### LIFE IS LONELY AND DESOLATE

(By James R. Polk)

WASHINGTON.—The priest was saying mass in the dingy Detroit nursing home when an old man with white stubble on his chin raised his grizzled face and blurted out a childhood prayer:

"Now I lay me down to sleep.

"I pray the Lord my soul to keep.

"If I should die before I wake,

"Who the hell would care?"

George Lewis, who is 78, is one of almost a million Americans living their last days in nursing homes financed largely by the federal government.

For many of these patients, it is a lonely, desolate, empty end.

"It is a living death," said a Los Angeles clergyman. "They sit and stare and wait—and watch each other die."

A Cleveland researcher, Dr. Margaret Blenkner, added, "Don't kid yourself. Just walk into a nursing home and tell me how many happy, laughing faces you see."

#### CONFUSED AND FORGOTTEN

This hidden million are old and alone, confused and forgotten.

Half are past 77. Most are widowed. For many of them, the mind is ebbing or eroded, and this, not ill health, is the main reason many are in nursing homes.

The grim sight of rows of patients who sit and stare at nothing is not a fault of the nursing homes. It is a fact of health, and a flaw of a nation that has no real plan for taking care of the mental nightmares that haunt the aging.

A study by Dr. Alvin I. Goldfarb, former head of the American Psychiatry Association's committee on aging, has listed 86 per cent of the patients in nursing homes as suffering mental disorders that range from senility to insanity.

#### LACK PSYCHIATRIC CARE

Yet a reporter who visited more than a score of nursing homes across the country failed to find any sign of psychiatric care. And, in interviews, several psychiatrists and psychologists agreed that such specialized care is almost nonexistent.

Drugs are used to keep patients subdued. The worst cases are kept in restraining straps. And state officials compound the crisis by dumping the elderly out of mental hospitals into private nursing homes.

The most common problem is senility, better defined in medical terms as "chronic brain syndrome." It comes with hardening of the

arteries, starving the brain for blood, or with the sudden blockage of a stroke. It leaves the mind fuzzy, confused, blank. Patients forget how to dress themselves, how to go to the bathroom.

George Lewis says he has been in a nursing home five weeks. Records show it has been five years.

#### IN FOR 50 YEARS

For another Detroit nursing home patient, Miss Viola Cook, the records read almost 50 years—in a mental institution.

Miss Cook was a young woman in 1920 when committed to a Michigan state hospital because of confusion, delusions and what the doctors listed as "bizarre behavior." Her medical records reported no significant progress. Yet she was released this spring to be sent to a nursing home.

Now Miss Cook, 72, is kept tied with a cloth strap in her chair in a ward, unaware of the world around her, muttering as her hands knit with nothing in them.

Under Michigan's release program, she is considered in "convalescent status."

Moving patients out of the overcrowded state mental hospitals into nursing homes, where the federal government helps pay the bill, is routine across the nation.

#### GEORGIA SHIFTS 2,600

Georgia has discharged approximately 2,600 mental patients into nursing homes in five years. North Carolina has shifted about 1,700. An Ohio official flatly denied the practice, yet public testimony disclosed the recent transfer of 300 out of a single state hospital.

Dr. Goldfarb criticized such transfers and said most are unjustified. He added, "There is a danger that nursing homes, because they lack medical tradition and psychiatric supervision, will degenerate into snake pits."

As a substitute for psychiatrists, nursing homes turn to drugs and restraining straps.

#### "NO CHOICE"

In the back ward of a rural southern Indiana nursing home, more than a dozen patients sit strapped into chairs. The administrator complains she has no choice—the state hospitals won't take the patients, and there is no place else for them to go.

Doctor's orders are generally required by state regulations for physical restraint. But checks of medical records showed this is loosely enforced.

The trappings of restraint can range from modern, dignified chair devices to a bed sheet for a Minneapolis patient, a strip of cloth in Detroit, an automatic dosage of tranquilizing drugs for everyone in a Los Angeles home.

#### PATIENTS MINGLE

In these situations, with the mentally ill mingled among other patients, with callous government indifference to the problem, with restraint used as the cornerstone of care, a nursing home can turn into a house of horror.

A woman in a Minneapolis suburb remembers with vivid pain what happened when she took her mother, who had suffered a stroke, to a nursing home and returned the next morning to find her tied, without clothes, in bed in the midst of her own wastes.

"I will never forget that sight," the woman wrote. "It's seared into my memory, seeing her struggling to free herself, crying out for someone to help her."

"She clung to me and cried like a child over and over again. 'Thank God you've come, thank God you've come.'"

#### HAND OF FEEBLE PATIENT FORCED TO WRITE

(By James R. Polk)

WASHINGTON.—At night, in the small nursing home on the California coast, old John Sudar lay near death.

The nursing home operator and a lawyer leaned over him. One of them lifted his hand and made an "X" on a piece of paper, as the lawyer later testified in court. John Sudar was too weak to write. So, holding his hand, they added his signature on the paper, the lawyer said.

The feeble, 75-year-old man died less than two days later, just about the time the banks were opening on Monday morning.

Mrs. Gerdice G. Thorson, the nursing home operator, took the signed paper, according to court testimony, and withdrew John Sudar's \$13,000 from his savings account.

The last hours of John Sudar, dismissed from a hospital by a Medicare committee as a futile case and sent to a nursing home where he died only nine days later, are a tragedy frightening to thousands of America's aged.

#### MISSING FOR YEAR

So is the cold, unseen death of Robert S. Warfield.

As Sudar lay dying in El Granada, Calif., Warfield already lay dead, unnoticed, in a dark recess of an eight-story nursing home half a continent away in Cleveland, Ohio.

On a chill winter day Warfield, a former mental patient, had wandered away from his room and disappeared into a nearby crawlway. No one found him, and he died.

For more than a year and a month, Warfield's body remained in the crawl space, undiscovered and decomposing.

Coroner's records show that not until a worker at the Midtown Nursing Home happened to enter the recess was the body found last spring.

For six months after his disappearance, according to welfare records, the nursing home had continued to collect Medicaid payments for Warfield's care.

The home repaid the full \$1,900 when Cleveland welfare officials finally uncovered the payment error.

But even after that mistake, welfare authorities went on sending Warfield's \$8 spending allowance to the nursing home for him each month until his body finally was found.

In California, Mrs. Thorson is now awaiting trial on theft charges. The coroner's office in Cleveland found no wrongdoing by the Midtown Nursing Home.

Chaos, confusion and charges of fraud are laced throughout Medicaid and Medicare, the two huge federal programs that pay for most of the nursing home care in the nation today.

No one really knows how much of the \$1.6 billion in tax money each year may be going astray. But estimates start in the tens of millions of dollars.

#### SCORE "MASS VISITS"

Senate investigators have lashed out at "mass visits" by some directors, optometrists, foot specialists, X-ray operators and others giving unsolicited care to the captive audiences of nursing home patients.

Kickbacks and markups dot investigation files. A Los Angeles nursing home owner said,

"I even had a minister come in and say he would serve as a 'spiritual consultant' under the program for \$100 a month."

#### OTHER CASES FOUND

A nationwide check by the Associated Press found such cases as these:

In the quiet county seat of Jefferson, Tex., Medicare records showed a physician, Dr. R. D. Douglas, who operates the Douglas Memorial Nursing Home, billed Medicare last year for 4,560 visits to 54 patients, an average of more than 80 visits each. He also billed for a total of 8,175 injections to just 149 patients. Douglas, who was paid more than \$62,000, is now under Medicare investigation.

The plush Casa Contenta West home in Panorama City, Calif., is alleged in a state

document to have subtracted and kept discounts on mass visits by a foot specialist to its medicated patients each month. The state attorney general's office said it is investigating other dealings by the home with an X-ray operator, a pharmacy, a linen firm and beauticians.

#### INVESTIGATION SOUGHT

In Florida, the North Miami Beach Convalescent Home is alleged in a government report to have tacked on an extra 30 per cent charge to its Medicare bills on drugs and therapy services. The case has been referred to the Justice Department.

The Justice Department also has been sent the case of Hollis Park Garden in Hollis Park, N.Y., which billed the government for \$372,000 for physical therapy last year. A senator charged that some patients were listed as undergoing therapy on the day they died. When the government tried to stop payments to collect a \$150,000 refund, a federal official said the nursing home discharged all its Medicare patients.

California records showed one podiatrist in Los Angeles turned in billings for foot care for nursing home patients who had been dead as long as a year.

The district attorney's office in Los Angeles has been quietly investigating a small group of Blue Cross employees who by-passed regular procedures to speed payments from California's Medicaid program to certain nursing homes for a percentage fee. A state official said privately the questionable payments may have topped \$2 million.

#### ADD TO CHARGES

In some nursing homes, the scramble for the extra buck can be found almost anywhere, from the breakfast table to the bedpan.

Underpaid aides sometimes hustle patients for tips for small favors, like bringing in a morning newspaper. Some nursing homes add extra charges for simple services like haircuts.

In Los Angeles, where welfare authorities give patients \$15 a month for personal spending needs, one nursing home owner said, "A lot of these people never see that money."

In New York City, a noted neurologist who said enforced tipping is commonplace in both hospitals and nursing homes, remembered, "When I was an intern, it was 25 cents for a bedpan cold; 50 cents, warm."

#### CAN CUT COSTS

In nursing homes profits climb if costs can be cut. In some, food is the first casualty. Nationwide surveys have shown average food costs per nursing home patient to be less than \$1 a day.

A former executive for a suburban Detroit nursing home tells how milk is diluted with water, hamburger is half bread, and the cheapest, worst coffee is served.

"If the patients don't like the coffee, they don't drink it, and so you can save even more on coffee," he said.

In an aging Minneapolis nursing home one day last month, the required menu listed sausages for supper, but the cook was preparing a watery stew instead.

Asked what it was, she said, "I don't know what you would call it—it's homemade."

[From South Bend Tribune]

VISITS OF DOCTORS TO AGED RARE; ADVICE TELEPHONED

(By James R. Polk)

WASHINGTON.—The nation's nursing homes suffer a chronic deficiency in doctors.

For the sick and dying, the average amount of doctor's care may be only a few minutes a month.

Of all a doctor's patients at office and hospital, the one in the nursing home is usually the last he sees.

And to a nursing home, the telephone becomes a more important medical instrument than the stethoscope.

In state after state across the nation, an Associated Press investigation has found nurses meet emergencies by telephoning doctors who prescribe drugs without having seen their patients for weeks or months.

"Telephone medicine is a fact of life in nursing homes," said one state's top inspector.

#### "EVEN WITH NARCOTICS"

"We'll even do it with some narcotics," said another state nursing supervisor in New Jersey. "You know how hard it is to get a doctor at 3 o'clock in the morning."

The blame for neglect falls more on America's doctors than the nursing homes.

Many doctors, already hard pressed to keep up their hospital cases, don't find the time to visit nursing home patients with any regularity. Other doctors admit frankly they feel they can do more for the patients who have a chance at life than the aged and the dying.

An Illinois nursing home operator said, "I was shocked the first time I asked one doctor, 'Why don't you come more often?' and he said, 'To tell the truth, it depresses the hell out of me.'"

#### SEEK ONE EACH MONTH

Both the government and the medical profession now back the goal of a visit to nursing home patients by a doctor a minimum of once a month.

But in Topeka, Kan., a comprehensive official study of the area's nursing homes last year showed fully one-fourth of all the patients had not been seen by a doctor in half a year.

In one large Topeka home, the total was three-fourths without a doctor's visit in half a year.

In another government-financed study of more than 100 homes throughout Minnesota, researchers computed the average amount of doctor's care per patient at less than 2½ minutes a week.

A physician who manages a top-rated non-profit nursing home in St. Paul, Minn., pointed to one of his patients and said, "That woman—her doctor hasn't seen her in five years."

With federal programs now paying \$1.6 billion a year to finance most of the nursing home care in the nation through Medicaid and Medicare, a crackdown is on the books. But it has yet to reach the bedside.

A sleeper proposal in new standards adopted this summer for Medicaid, the huge program of health care for the poor, requires a minimum of one doctor's visit each month.

But spot checks of actual medical records showed the requirement is not being enforced widely yet.

Frank Frantz, a federal official who helped draw up the new Medicaid regulations, said: "The lack of a doctor is at the root of a lot of the problems in nursing homes. But I don't think the 30-day requirement will solve them."

"It's a question of how the doctor uses the nursing home. I think it's a difference of whether a nursing home is to be where a physician puts a person or where he practices medicine."

In nursing homes, most medical treatment is practiced by nurses or low-paid aides.

#### SIGN LATER

A nurse, confronted with a crisis, telephones the patient's doctor, describes symptoms, and gets a prescription.

States usually require doctors to sign their telephone orders afterwards, but are lax on how soon they must do it. Arizona, for instance, instructs a doctor to sign the records on his next trip—but requires he visit the nursing home only once a year.

In Minnesota, nursing homes mail the doctors a form to sign, and the patient may remain unseen by the physician for weeks.

Minnesota does require that, unless a doctor spells out a specific period for a prescription, the drugs should be cut off after seven days. But enforcement is slipshod.

In one Minnesota home a chloral hydrate prescription had run for six years without any specific instruction.

The case embarrassed the city's inspector, who serves on the board of directors of the same church-owned nursing home in what she said "may be a conflict of interest."

The inspector told the practical nurse on duty, "You don't order a drug forever, you know."

#### "WHAT ELSE?"

"That's what we've been doing," answered the nurse. "What else can you do? So many of our doctors aren't coming in. We have a hard time even contacting doctors by telephone."

The absence of doctors, the diagnosis from a distance and the easy use of drugs add up to an unhealthy situation in many of America's nursing homes.

In California, inspectors said half of all violations of state regulations they find in nursing homes involve problems in carrying out the patient care ordered by doctors.

"Lots of times things are ordered and the nurse doesn't write it down, or she writes it down incorrectly," said Dr. Gottlieb L. Orth of Los Angeles' health department.

One out of every seven drug prescriptions administered by a nurse is carried out wrong, according to figures cited in a study presented at a recent medical convention.

In a nursing home in a decaying neighborhood in Los Angeles, a manual of instructions for the nurses includes the section:

"Critical Condition—What to Do."

Clipped to the page is a business card with the phone number of a funeral home.

[From Wichita (Kans.) Eagle and Beacon, Oct. 17, 1971]

OLD PERSONS GATHER STRENGTH; MAKE ADJUSTMENTS TO AGING

(By Olive Evans)

NEW YORK.—Donal McLaughlin is old: 95. He has a bright smile, moves quickly and has strong opinions about life and about growing old. When his wife died five years ago, he could fend for himself. But his two sons were worried about him, and, he now admits, they were right.

"To tell the truth, after I cooked a meal, I didn't know what I'd had, how it tasted or anything. So I saw it this way: sooner or later I will have to succumb to circumstances and I will never have my home cooking again."

Mrs. Nancy Petty is old, too: 82, a serene and stately woman, she doesn't look her age. Some years ago she made the decision to plan for her later years. Her plans definitely did not include living with her family.

"I think grandmothers are lovely, but I don't think they should be a steady diet for anyone," she said.

McLaughlin and Mrs. Petty are among a minority—but a growing minority—of old people who have made an emotional adjustment to aging. Like more and more older people today, they planned, with their families, for the day when they would need help in coping with life.

Instead of the painful experience of being "put away," entering a "home" became a goal. They opted for a life-style that would keep them in the company of their contemporaries, in a loosely structured environment, institutional but affording some degree of privacy.

"More people are finding that this is a better answer than living by themselves or with families," said William C. Fitch, execu-



tive director of the National Council on Aging. "But the need is for more facilities that are not highly institutionalized, where people are treated as individuals."

Of equal importance, he said, is the need for facilities that people on reduced or retirement incomes can afford.

There now are more than 20 million people aged 65 and over in this country, old people, and therefore there will be a growing need for a variety of facilities, some of which we haven't even invented. Census bureau projections put the figure for 1980 at 23.5 million, for 1990 at 27.6 million in 1990, and close to 29 million for the year 2000.

"Advances in medical care and services will increase the proportion of yet," said Mrs. Rebecca Eckstein, the council's assistant director.

No one knows how many of the one million people now in the nation's 24,000 institutions for the aged are getting good care. Recurring testimony about conditions in many old age and nursing homes has revealed callousness and cruelty to patients by employees, filthy conditions, poor food, understaffing and overcharging.

By comparison, conditions seem utopian at the Isabella Geriatric Center in Manhattan.

"It's a stunning setting," said Mrs. Eckstein about the nonsectarian, voluntary and nonprofit complex of institutions housing the aged and the aged ill, and dealing with the problems of the aging.

A sentence on the blackboard of a lecture room contrasts sharply with the treatment in some other institutions described at recent hearings: "Nursing care must communicate to the patient his value as an individual, and his status as a family member and as a member of society."

At 75, Nicholas Bessaraboff Bodley is young by geriatric yardsticks. He's a white Russian with a patriarchal beard—a frail and gentle man. He is proud of the engineering degree he received in 1915 from the St. Petersburg Polytechnic Institute in Imperial Russia.

Two years ago Bodley's health failed, and the decision was made to enter a "home." A man of some reserve, he has taken rather well, it seems, to the community style of living at Isabella. His article, "Who Is Bodley?" appears in the current issue of "Chat-terbox," a newsletter "by the residents for the residents."

In it, he writes about his beard, "... I am not a rabbi nor a Russian orthodox priest, but a professional man who had to shave about 50 years every day. After retiring, I decided not to shave any more. Oh, what a blessed relief!"

Bodley has translated esoteric philosophical works from the Russian, produced a compendium of information on ancient European musical instruments for the Museum of Fine Arts in Boston, and for the American Journal of Archaeology, written an article on the aulos, a clarinet-like instrument of ancient Greece and Egypt.

Like most of the residents, Bodley has his own room. Costs at Isabella house, the residence for the more self-sufficient, range from \$376.15 a month for a single room to \$522 for one, or \$708 for two, in a suite. Residents there do light housekeeping and prepare their own breakfasts; the two other meals are served in the dining room.

At Isabella Home, which is for residents needing more attention, cost for an individual are \$647 a month. In the infirmary, where 24-hour-a-day nursing care is available, the individual rate is \$1,431 a month.

A widow for 38 years, Mrs. Petty used to be housemother at a boys' school in New Eng-

land. A woman of independence, when the time came to retire, there was no question in her mind.

"I have a wonderful daughter and a wonderful son, and they both wanted me to live with them. But it's hard to mix up so many ages of people. I think you're so apt to infringe on your grandchildren's liberties. After all, I know a good deal more than they do," she added with a wink. "Being apart keeps a love alive that might not have survived the test."

No matter how benign the environment entering a "home" is a radical change at a time of life when change is least easy to accept. Adjustment to the change is a measure of the individual's total emotion health.

As McLaughlin put it, "self-pity is the biggest disease we have here. Everybody tells you what a beautiful home he had... you have to fight it."

[From the Wall Street Journal, Nov. 26, 1971]

**"THANKS A LOT": DISMAYED AGED LEARN SOCIAL SECURITY RAISE MEANS CUT IN BENEFITS—IN MANY STATES, A \$10 BOOST MAKE ELDERLY INELIGIBLE FOR FREE MEDICAL CARE; WILL BUREAUCRATS EVER AGE?**

(By Tom Herman)

MIAMI BEACH, FLA.—Leah Miller is a diminutive, white-haired lady who lives alone in a small, \$100-a-month hotel room here. For the past several years, Mrs. Miller has lived solely on the proceeds of her Social Security check, welfare benefits and the occasional gifts of a few close friends. Mrs. Miller is a diabetic, and after she buys her prescribed drugs and pays her rent, there's not much left over each month.

Mrs. Miller is probably just the kind of person Congress had in mind when it decided to increase Social Security payments 10%. Well, the 10% increase is in effect now, and Mrs. Miller says it has changed her life, all right. For the worse.

"I begged the government not to make me take it," she says, "but they said I had to. I told them that's not fair. But they said their regulations won't allow them to take it back."

Mrs. Miller has not lost her mind. Because of some quirks in federal and state laws, she and thousands of other old folks in 25 states have discovered that their Social Security raises are costing them far more than they benefit them. Specifically, Mrs. Miller now gets at least \$20 a month less than she did before the "increase." She also has less hospitalization insurance. And she isn't insured at all for many things she was once covered for.

#### NEW GARBAGE BILLS

The problem arises when elderly poor people receive enough of a Social Security increase to make them ineligible for valuable other benefits they had been receiving, such as old-age assistance, Medicaid and free Medicare insurance. In some communities, the Social Security raise even disqualified recipients from receiving free garbage collection and forced them to pay more for their food stamps.

To some people in government, the unfairness of that ironic situation is plain, and legislation now is pending in Congress that would largely eliminate the problem. However, the proposal is a part of the controversial welfare-reform bill, which is bogged down in the Senate Finance Committee, so there's no telling when or if relief will come. In the meantime, the problem is likely to be aired at the White House Conference on Aging, scheduled for Sunday through Thursday of next week.

Mrs. Miller hasn't been invited to that conference, but if she were she would have

plenty to gripe about. Before the increase, Mrs. Miller's only income was \$113 each month from Social Security and \$6 from the state welfare department—or \$1,428 a year. The state welfare department also furnished her with a little blue card that paid up to \$20 a month for prescribed medicines, and it picked up her monthly Medicare insurance premiums of about \$5.60.

#### MRS. MILLER'S SCISSORS

Then came the "raise." Now, Mrs. Miller gets \$124 a month from Social Security—\$11 more. But she no longer gets the \$8 welfare check, or her \$20 in medicines, or her \$5.60 in insurance premiums. (Medicaid in Florida and 24 other states is available only to welfare recipients.) The Medicaid Mrs. Miller lost covered free X-ray treatment and skilled nursing home services—which, if the need should ever arise, she will now have to pay for herself. Medicaid also pays a patient's entire hospital bill for up to 60 days. Without Medicaid, Mrs. Miller must pay the first \$60 of hospitalization costs, and that figure will go up to \$68 in January.

To make ends meet, Mrs. Miller has started cutting her most expensive pills in half with a scissors. "That way, I use them up only half as fast," she says. She also spends less on food now. She also worries.

"What would I do if I should have to go to the hospital?" she asks. "I don't know where I would get that \$60. And the chances of my needing to go to the hospital get better every day. I'm 83, and I'm not getting any younger."

Mrs. Miller is confused, and she is bitter. "I still can't understand how anyone could let this happen," she says. "I told the welfare people, 'Thanks a lot for nothing.' They said they were sorry, but that their hands were tied by regulations. But what are we supposed to do, those of us who are much too old to do any work?"

Government officials don't have an answer to that question, but they say it isn't a new one. Thousands of cases like Mrs. Miller's pop up every time there a Social Security increase, they say. "It's a real tragedy," says Virginia M. Smyth, a federal welfare official in Atlanta. "It's especially ironic because it runs completely counter to the intention of the law."

#### TOO OLD TO FIGHT

Although the problem may have been around for years, many government officials seem unaware of it, or assume it's not around any more. One official with the Social Security Administration in Miami recently insisted for several minutes that "the whole problem was cleared up last spring in some new legislation that you should know about." Later, after thumbing through several thick reference books, he confessed: "Well, I suppose you're right. The problem is still with us."

One reason few people seem aware of the situation is the extreme reluctance of many poor people to protest. In interviews, some people express fears that any protest would mean sharp cuts in their Social Security checks. Others simply shrug their shoulders and say they are too old to fight.

Some have reacted by pleading with Social Security officials to take back the "raise." Sam Salit, a short, stocky, 77-year-old man, lives with his wife, Julia, age 68, in a small, one-room apartment in South Miami Beach, an area of the elderly and the poor. Sitting in his "living room" (the front half of the apartment) on a hot afternoon, Mr. Salit mops his brow and recalls a conversation he had with a state official after he discovered that the "increase" was going to cost him at least \$43 a month.

"First, I say to the man, look, I make you a deal: You take back my little increase and

I won't tell a soul. In fact, I say to the man that I give back the increase gladly. The man smiles and says he's sorry, I say that sorry won't help. He says he knows. I say to myself, so what can I do? At my age, I'm going to fight the law?"

One answer, of course, would be for each state to give Medicaid to people whose incomes are too small to pay for the medical care they need. At the moment, 23 states and the District of Columbia do just that. But in the others, only these on welfare are eligible for Medicaid. And it doesn't seem likely things will change. If anything, the trend is moving in the opposite direction; many states have begun or are considering cutbacks in medical care for the indigent.

Another answer would be to disregard Social Security altogether when computing welfare eligibility. That is the approach of a bill that will be introduced this winter by several Florida state senators; it is also an approach that has been proposed several times before and defeated, mainly because of cost.

#### \$600 IN THE HOLE

Meanwhile, there is no help for people who lose money by getting money. That's especially tough on those with heavy medical expenses, such as Mary B. Powell, who lives near Miami. Back in the good old days before the Social Security increase, Mrs. Powell was technically on welfare and entitled to \$45 a month in free prescription medicine. Now, she's off welfare, and the \$45 a month comes from her own pocket—as does her \$5.60 Medicare insurance premium.

That's not all. Mrs. Powell and her husband, James, live in an unincorporated area of Dade County, which means that, as welfare recipients, they were entitled to free garbage collection. Now that they're off welfare, they have to pay the \$52 a year themselves. Like his wife, Mr. Powell lost his free medicines—\$20 month in his case. Both the Powells lost their welfare checks, of \$1 each per month. The Powells figure their Social Security increase amounts to \$206.40 and will cost them \$810.40 a year, which means they must somehow find another \$604.40—assuming they will need no X-rays, hospital care or nursing home services.

That's an unlikely assumption. Mrs. Powell is either 73 or 75—"I can't remember if I was born in 1896 or 1898, but when you're my age, what's a year or two?"—and uses a wheelchair and suffers from ulcers and arthritis. Mr. Powell, who is 78, had "a complete mental breakdown in 1965 or so" and since has had a stroke, Mrs. Powell says. So the Powells are not exactly top candidates for the labor pool.

Nor are many others. "What worries me isn't losing the welfare check," says William Lucas, age 66, of Atlanta, who is mostly paralyzed on his right side and suffers from hardening of the arteries and an arthritic left leg and wrist. "Hell, they can keep the welfare check. What I need is that \$20 drug card and the Medicaid hospital coverage."

#### GROCERIES OR MEDICINE

Lelia Comer, a 75-year-old St. Petersburg widow, can sympathize. Mrs. Comer's Social Security increases amounted to \$12 a month and robbed her of \$35.60 in welfare medical money as well as the wide variety of hospital benefits paid by Medicaid.

Sitting on her porch with her shoes off, Mrs. Comer says: "I tell you what I think: Us old folks that worked hard, that can't work no longer, that need the money just to stay alive and buy medicine, they is the ones that can't get no money. But those young mothers that have all them babies, they get all the money they need. This raise ain't a raise none at all. It's just what they do to get us old folks off of welfare, that's all. You see what they done, they

just put on to one check and took off from the other. So I'm worse off from where I was. It hurt me a heap. God knows, they think the old folks ain't got nothing to spend money on. Nothing to spend money on."

To save money for herself and her 51-year-old asthmatic daughter who lives with her, Mrs. Comer says she borrows "from my neighbor on food. And I leave off (buying) some of the groceries. My daughter, she say she don't care none about leaving off some of the groceries. She say that medicine is the most important thing."

Some observers think cases like Mrs. Comer's reflect the government's—and the whole society's—lack of sensitivity to problems of the aged. Max Friedson, a 72-year-old activist for improved old age legislation, thinks he knows why no one cares: "You know why problems like this exist?" he asks. "You know why? Because some people in government today think they'll never grow old. Of course, I don't think that's too unusual, because I never thought I'd grow old either."

[From the Washington Post, Nov. 21, 1971]

#### RETIREMENT: NEVER TOO SOON TO PLAN

(By Roy Hanson)

How old are you? Never mind, it doesn't matter. No matter what your age, it's time to start making plans for your retirement.

In a recent issue of Consumer Views, City Bank of New York's consumer newsletter, the money men advised that you sit down and ask yourself three questions:

Will you be able to retire at 65 or sooner? How much income and reserves will you need to live in comparative comfort?

If your total income after retirement, as you foresee it, doesn't seem enough, what steps can you take to bolster it later?

For most people retirement means living on a sharply lower income. How much lower? For an "average" couple, in reasonably good health, living by themselves in a metropolitan area, a "low" budget means an annual income of \$3,200. An "intermediate" style of living takes at least \$5,000. On a "higher" budget a couple needs \$7,400. And even at the latter figure that means a comfortable but by no means luxurious way of life. If you're big on luxury, better revise that upward.

Don't forget to allow for inflation, either. If inflation continues at 4 per cent, \$500 now would have the buying power of only \$338 in 10 years. At 2 per cent it would buy \$410 worth.

Where is the money coming from?

Savings. If you have \$10,000 in the bank, at 5 per cent interest, it will bring in \$500 a year, \$41.66 a month. It's a start.

Social Security. The major source of income for most retired persons. And almost nine out of 10 have it. The minimum is \$105.60 a month and it ranges up to \$320 worked out by a complicated formula based on your average earnings over a period of years. You can get the material for working out the figure in your case by writing the Social Security Administration, Baltimore, Md., 21235. If you retire at 62 you get four-fifths of the amount you would be entitled to at 65. You can also earn as much as \$1,680 a year without losing benefits.

Pensions. Private pension plans cover about half the work force and government plans bring in another 20 per cent. The average payment in 1969—the latest available year—was \$160 a month. It is probably a little higher now. If your company has a pension plan, look into it. Find out what it gives you, how you qualify for it and what riders there are, if any. For instance, do you lose your rights if you change jobs before acquiring a vested interest in the company pension

fund? You might also be eligible for a veteran's pension. Check that with your local Veterans Administration office.

Investments. If you own stocks, bonds or mutual funds, add up the returns over a year. Obviously, since you'll be counting on steady income, the more steady, reliable performers are the best. A note on U.S. Series E savings bonds: If you don't cash them in until you retire, you'll cut your tax on the interest because of your reduced income.

Annuities. You pay in money, either all at once or in installments before retiring. Then you get periodic payments, usually for the rest of your life, after retirement.

[From the New York Times, Nov. 21, 1971]

#### AGED ARE CALLED LOW U.S. PRIORITY—HOUSE UNIT HOLDS HEARINGS IN BRONX ON ELDERLY

A special Congressional subcommittee, meeting in a cold auditorium at Lehman College in the Bronx, was told that the aged were too far down on the list of the nation's priorities.

The 15 speakers, some of them old, others experts on problems of the aged, told the Select Subcommittee on Education that elderly persons need more money, better housing, better services and some meaningful involvement in the life around them.

The subcommittee, part of the House Committee on Education and Labor, is headed by Representative John Brademas, Democrat of Indiana, and has held hearings in Chicago and Washington. The subcommittee is scheduled to go to Boston and Miami for additional hearings before the White House Conference on Aging, which begins next Sunday.

Walter Nueberger, of the Congress of Senior Citizens, said 500,000 of New York City's 1,000,000 residents over 65 years old were eligible for welfare, but only 50,000 would accept public assistance.

"They don't want to stand in line and use food stamps. They don't apply for rent supplements. They don't want anything that smacks of charity," he said.

"Don't embarrass them by a means test and don't make them hold out their hands and beg," Mr. Nueberger pleaded.

Julie M. Sugarman, administrator of the Human Resources Administration, noted that the aged were 12 per cent of the city's population and 5 per cent of the nation's aged population. He told a newsman after he spoke that about 250,000 aged persons lived on Manhattan's West Side.

Crime and fear of crime were discussed by many witnesses. George Dimond, president of the William Hodson Senior Center, said that many older persons had been robbed using a particular letter box in the Bronx.

[From the Washington Star, Nov. 30, 1971]

#### INCOME FOR THE AGING

It is hardly surprising that the subject of an adequate annual income quickly emerged as the dominant issue at this week's White House Conference on Aging. Money, or the lack of it, remains at the root of so many problems the nation's over-65 population faces. Fully 25 percent of these 20 million citizens live below the government's officially-designated poverty line, and millions of others are but on the fringes of what could be called a decent living standard.

There is no question, then, that a giant-sized problem exists. But where is the solution? One idea that has gained considerable headway at the conference follows the concept of the guaranteed annual income. It would provide a minimum of \$3,000 per year to each elderly person over 65 and \$4,500 per aged couple. On the surface, that sounds modest and reasonable enough. Yet serious questions arise, questions of feasibility and equity.



Nothing is wrong with the idea of a guaranteed annual income for the elderly. It exists already in the form of Old Age Assistance, one of three adult categories in the state-administered but federally subsidized welfare system. What's faulty here is that payments throughout most of the country are far too low.

Marking time right now in the Senate Finance Committee is H.R. 1, the Social Security-medicare-welfare reform measure that with administration backing passed the House early this year. It is the focus of high controversy solely because of its Family Assistance Plan, which would put an income floor under all families with children. Nearly as remarkable, however, are a series of provisions aimed at the elderly and at other adults, the blind and disabled, who are eligible for welfare. Besides a series of benefit increases for Social Security recipients, the bill would completely federalize the adult welfare system, and it would lead to uniform national payments of \$150 a month per individual, \$200 per couple. In fact, more money would go to the aged, blind and disabled under this plan than to welfare and working-poor families.

How about raising those income amounts for the dependent elderly? Under the Family Assistance Plan, a family of four with no earnings would get \$2,400 a year, the same as an elderly couple. Guaranteeing more to the couple than to the family with children could not be justified. Moreover, there is an equity question related to the Social Security system. Guaranteeing every elderly couple an income as high as \$4,500 would mean that the majority of retired persons who paid taxes for years into the Social Security system would get no more money than the elderly who had paid little or nothing into the system.

The more astute among the policymakers at the White House conference no doubt are aware of the complexities of the problem. If they can get serious about the concept of a guaranteed income without fooling themselves as to the numbers involved, that's all to the good. Maybe then the organizations that represent the nation's elderly can help mount an intensified lobbying effort for the passage of H.R. 1.

[From the Baltimore Sun, Nov. 25, 1971]  
UNITED STATES SCORED FOR NURSING HOME STAND

(By Frederick K. McGehan)

A top state health official took sharp issue with the federal government yesterday over its increased involvement in the upgrading of nursing homes.

Dr. Matthew Tayback, assistant secretary of health and mental hygiene, said federal allegations that Maryland has failed to comply with regulations governing nursing homes that accept Medicaid patients "has created unnecessary alarm."

"This whole matter has turned out to be a tempest in a teapot," Dr. Tayback said, noting that federal officials have agreed to accept Maryland's plan for complying by July 1 next year.

In letters sent to the state health department earlier this month, officials of the Philadelphia regional office of the Department of Health Education and Welfare cited 12 specific areas where Maryland has failed to comply, and requested an immediate timetable for compliance.

#### HEW SENT LETTERS

Dr. Tayback noted that similar letters have gone to all 50 states. "All this suggests . . . that the Nixon administration is attempting to influence public opinion. This is especially suggestive when it is noted that a White House conference on aging is forthcoming shortly," he said in a statement.

The state official said his department's staff has concentrated for the past year in upgrad-

ing the areas of life-safety, sanitation and patient care in nursing homes. The federal government, he claimed, has been focusing its attention "on financial details, matters of ownership and payrolls."

"We do not dispute the necessity to comply with the federal regulations but rather feel that the basic issues of life-safety and hygiene should be attended to first," he added.

Dr. Tayback also criticized a November 24 announcement by the Social Security Administration that it was encouraging persons with complaints against nursing homes to report them to local Social Security offices.

Dr. Tayback said the state already has a procedure for receiving and processing complaints and that a similar federal system "could create widespread confusion."

He advised Maryland residents to register complaints with city or county health officers, with the state Health Department's division of licensing and enforcement, or with his office directly.

He described the social security announcement as "another example of initiatives from the White House which are highly politically motivated and which do not contribute constructively to improvement in patient care."

[From the New York Times, Nov. 27, 1971]  
THE RETARDED AND THE VOLUNTEER HELPERS—  
THEY NEED EACH OTHER

SOUTHBURY, CONN.—Three small boys, neatly dressed for school, are seated at a round table. A woman with a pleasant round face and graying hair sits with them.

"Put the peg in the hole, Albert," she urges one youngster again and again, imposing her will and determination on the boy's faltering hand. Eventually, after many tries, the peg goes into the hole on the peg-board.

"Good boy, Albert! That's good, that's really great!" she says.

The woman, Mrs. Ray Forsyth, is a volunteer. She is working with profoundly retarded children in a Federally-funded program (the Neurologically Impaired Program) at Southbury Training School, one of Connecticut's two state institutions for the mentally retarded.

A fourth child, with Mongolism, sits in a "walker."

#### A TEEN-AGER LEARNING TO WALK

"Michael is just getting used to putting his feet on the floor," Carol Stewart, a teacher, explains. "There is no reason why he can't use his feet some day." Michael is 14 years old, but appears to be much younger.

One of the boys, David, who is blind as well as retarded, gets up, with considerable help, from his chair. He has just recently learned to walk—by grasping a helping hand or a railing. Suddenly he stands alone, without support. It is a miracle. Both teacher and volunteer worker are elated. It is a personal, hard-won victory.

David and the other boys, ranging in age from 9 to 14, have been labeled as profoundly retarded. Until this program, such retarded children had been considered unsalvageable, destined to lie in cribs, crawl about the floor and receive custodial care all their lives.

With the program, children have learned to sit in a chair, feed themselves, walk, become toilet trained and respond to sound. Most significantly, they are developing awareness of themselves and others around them.

Carol Stewart, a young and gifted teacher, refuses to accept the verdict of custodial care and performs classroom miracles daily. In the world of the profoundly retarded, learning to hold a spoon can be a major triumph. Antoinette Richardson, the director, and the seven other teachers in the three-year-old program share the same outlook and approach. Love, pragmatism, knowledge of behavioral modification techniques, and fierce

determination are the apparent components of the program.

Mrs. Ray Forsyth has the same attitude. She volunteers one day a week to the N.I.P. children, driving over from the neighboring Heritage Village where she lives.

With their children grown and married, Mrs. Forsyth and her husband moved to Heritage Village from Mount Kisco, N.Y., a year ago, to enjoy retirement and the ease of condominium living. Heritage Village, a 1,000-acre community, with strikingly designed housing, shopping and recreational facilities, has a current population of about 2,000 men and women, mostly couples and in their late 50's and 60's. About half of its residents still work full or part-time.

The community, complete with swimming pools, tennis courts, hiking trails, fishing ponds, library and cultural center, and 90-odd organized clubs and activities offers a considerable array of facilities. Why then does Mrs. Forsyth choose to spend time at Southbury Training School?

Apparently there is another kind of need that sends Heritage Village volunteers to the Southbury Training School—the need to nurture, the need to be needed. The children of Heritage Villagers are grownup, leading independent, separate lives. Children of the Southbury Training School, on the other hand, need visitors, need family, need personal interest.

Describing her work with the N.I.P. children, Mrs. Forsyth says: "This has been one of the greatest experiences of my life. I didn't know if I could do it when I started, but, believe me, I get so much from them."

Dr. Frank R. Gliberty, superintendent of Southbury Training School, is enthusiastic about the volunteer program and says, "Families can't get up here very often. On a day-to-day basis, these kids need affection, somebody to make a fuss over them. They need this constant attention, which parents couldn't possibly give no matter how often they visit them. This is where volunteers are invaluable."

Mrs. Carman Cater, director of volunteer services at Southbury Training School, points out that a growing number of Heritage Village people are participated in the school's extensive and varied volunteer program.

#### THEY'RE WORLDS APART

The two communities, separated only by a hill and a few miles of winding country road, are worlds apart in some respects, strikingly similar in others. Both are located in the Town of Southbury in southwestern Connecticut. Each has a setting of physical beauty. Each, in its own way, is a model community, providing a pattern for others to emulate. Both are self-contained communities, worlds unto themselves.

But the contrast is sharp. Heritage Village, on the one hand, is an upper middle-class privileged community, with many residents who have in the past distinguished themselves in the arts, publishing, business and professional worlds. Southbury Training School, on the other hand, has close to 2,000 residents of all ages, whose retardation ranges from borderline to profound, many of whom will live out their lives in Southbury, unable to return to an outside world.

Yet each community is making an impact on the other.

Mrs. Samuel Edsall, wife of an Episcopal clergyman who was rector of the Trinity Church in Geneva, N.Y., for 37 years, now lives with her husband at Heritage Village. They chose Heritage Village, in part, because their children and grandchildren live in the Connecticut-Long Island area.

Mrs. Edsall works as a volunteer at Southbury's Cottage 4, "the wheelchair cottage," which houses 40 women residents of all ages who are severely physically handicapped as well as retarded. Most of the women are non-ambulatory as well as, in some cases, deaf,

blind, mute, epileptic and emotionally disturbed.

"I started with a group at Heritage Village that sews for Southbury," says Mrs. Edsall. "They were a wonderful bunch of women, and I enjoyed them. But all the time I kept thinking that it wasn't what I had spent 70 years of my life training for. I wanted to work directly with people."

When she was approached to work at Cottage 4, she had some self-doubts, but she decided to try.

"The first day I was there I could see only their handicaps," she says, "but after a while I just looked at their faces. That is the way to do it."

"I gradually got to know the girls in the cottage and love them," she continues, "and now I am so devoted to them that I can't let them alone."

Mrs. Edsall says that the staff, although devoted and "even consecrated," are fully occupied with the physical care of the residents, who can do little for themselves.

"There is no time for the staff to read to them or play games or just plain talk," she says. "That is what I do."

Visiting Cottage 4 with Mrs. Edsall, one is struck by the excitement that her arrival generates. Like small children eager for her attention, they swarm about her, crowding close to her in their wheelchairs. They reach out to touch her, to hug her warmly (For the mentally retarded, touch is an important means of communication.) She moves from group to group, exchanging greetings, talking at length with several women who have become particularly close to her. Even those who can barely talk and whose speech is unintelligible manage to convey their pleasure. For the moment, she has become mother to them all.

Theodore Clark, a retired oil company executive from Greenwich now living in Heritage Village, has a special interest in Southbury. He and his wife moved in last year to be nearer their son, an only child, who has been at Southbury for more than 25 years. Deeply involved with the school, he has "adopted" several residents, has helped to launch parents' groups and start a foundation, and continues to give many hours of volunteer service.

#### WORKS 2 DAYS A WEEK

"I have done just about anything," he says, "scrubbed walls, washed floors, painted, shaved the boys, helped bathe them. My wife works in the arts and crafts department, and we come here a couple of days a week."

"My boy is 41 years old," he continues, "and when he was born, the medical profession knew nothing about retardation. We spent thousands of dollars going from one Park Avenue specialist to another. But they are learning and doing wonderful things with the young children here. There is hardly anything you can't do with young kids under 10 in the way of training and physical therapy. I've seen it and if I could work here every day, I would do it."

One women's sewing group at Heritage Village has "adopted" Cottage 11, giving its residents a once-a-month birthday party and providing extra luxuries for the cottage.

"We chose them because the residents are about our own age," explains Mrs. Paul Schwantes, a prime mover of the group.

Cottage 11, which houses 41 women of all levels of mental retardation from ages 27 to 67, has no parent organization, as many other Southbury cottages have. Adult residents, unfortunately, have less and less contact with families, as parents grow older, become incapacitated and die. Brothers and sisters are less involved. But the residents' need for "family" does not lessen.

#### OTHER WAYS TO HELP

Not everyone, Mrs. Cater points out, can work directly with the mentally retarded,

but the volunteer program offers many other ways of helping the institution. The Boutique Shop, furnished and maintained by volunteer help, is one such way.

The shop is in the gate house, at the entrance to the school grounds, which also houses volunteer workrooms and Mrs. Cater's office. Offering handmade items of professional quality, the shop has earned more than \$8,000 in the last 18 months. The money is used to further special programs for Southbury School residents.

The volunteer program itself extends beyond the borders of Southbury and Heritage Village, reaching out to many Connecticut towns and organizations. Elsa Cater, who started the program in 1958, has built an organization that now involves hundreds of people and thousands of dollars in fundraising.

The Adoption-by-Mail Program, for example, designed for residents without families, now has over 800 sponsors. Sponsors send letters and birthday cards to their adoptees, and some participants, such as Mrs. George Roos and Mrs. Robert Foster of Heritage Village, carry the relationship a good deal further through frequent personal visits and gifts.

"We get a lot of young adults—church groups, Red Cross, Scouts, that come in for special projects," says Mrs. Cater. "They may take a crippled child to the movies or put on music programs. They work right along with our recreation people."

"Many of the young volunteers are thinking of going into this work and it gives them the opportunity to find out if this is what they want to do eventually."

But for the older volunteers, such as the Heritage Village group, the work has a different meaning. The emphasis is not on the future or the past, but on the present. "To live in the past is a waste of time," says Mrs. Paul Schwantes. "That's when you start to grow old."

#### DEMOCRATIC POLICY COUNCIL PLANNING GROUP ON PROBLEMS OF THE ELDERLY REGIONAL HEARING

(By Martin J. McNamara)

Mr. Chairman, Members of the Policy Council Group: I am Martin J. McNamara, Special Counsel of the National Council of Senior Citizens. I welcome this opportunity to testify before you today on behalf of nearly three million members of our affiliated clubs and councils.

Briefly, the message they send you is this: the elderly of this nation—despite the hardships of two world wars and the great depression—have contributed much to our economic growth and to ever higher standards of living. They are used to making sacrifices and they put national interest before their own personal interest. But they should not be expected in their old age to bear the brunt of inflation or of efforts to control inflation.

#### TRADITIONAL ROUTES TO OLD AGE SECURITY

It's been a long time since the average worker looked to the traditional pattern of family security characteristic of an earlier agrarian society. Our modern worker remembered his grandparents who developed 160 acres of mid-west farmland, raised and educated their family from its proceeds and their labor; and retired on the homestead in comfort and dignity with one of the sons taking over most of the work while the old man supplied the wise management out of years of experience. But our modern worker knew this was not for him. Among other things, his was a city way of life. When the great depression started there were over 6,000,000 farmers in the United States. Now there are only about one-third that number.

Nor was our typical worker ever really convinced that he could save enough out of his earnings to meet the needs of retire-

ment on a kind of do-it-yourself basis. Suppose he had tried, and suppose at retirement he was earning \$8,000 per year. Considering the tax advantages arising from a smaller income and the special exemptions for the elderly, assume he was willing to settle for half that gross income. To buy an annuity that would yield \$4,000 a year for the rest of his life and the same amount for his widow after his death, he would need better than \$50,000 cash at the time of retirement. Even if he had been foresighted enough to start saving 25 years ahead of time, he would have had to make monthly payments of \$166 all those years to accumulate such an amount. But remember, our typical worker would have been 40 years old in 1946 and at that time he was making not \$8,000 a year but \$5,000. His children were still in school, the home wasn't paid for, and there were always more calls on his paycheck than he could meet. Obviously he could not set aside nearly half his take-home pay to meet the needs of retirement 25 years in the future.

Besides, our worker had no way of knowing then that his living standards and his earnings would rise in the 25 years ahead to the point where he would need as much as \$4,000 a year to maintain a moderate standard of living.

#### RISE IN COST OF LIVING

One thing that he could not have foreseen was the dramatic rise in the cost of living that was going to take place in his later working years. From the 1957-59 base, the Consumer's Price Index for all items has risen by nearly 40%. But many of the items of cost that most directly affect older people have seen even sharper rises. Physician's fees, for example, have risen by 76.8%, property taxes by 47.3%, property insurance rates by 61.7%, maintenance and repairs by 60.3%. Local transit fares have doubled and hospital daily service charges have more than tripled in that period.

#### IMPACT OF INFLATION ON THE ELDERLY

To understand the real impact of inflation on the elderly, we must examine three basic and inter-related questions. Where do they get their income? How much do they have? How are they affected by price rises?

Furthermore, we must recognize that certain social and economic trends of the last few decades make inflation an especially acute problem for today's elderly, a problem that cries out for immediate national attention and solution. Retired persons are increasingly dependent on money incomes from social security. Savings are no longer likely to be in the form of ownership of a farm or small business. There are not only more people who have reached their 65th birthday, but larger proportions of them have attained the very oldest ages. The "aging" of the aged population means particularly great increases in the numbers of widows and other older women living alone, a particularly disadvantaged group economically and socially. The trend toward early retirement—much of it involuntary—adds to the years during which the older person living on a fixed income suffers acutely from price rises.

#### SOURCES OF INCOME

Where, then, do the elderly get their income?

Employment—the source that automatically provides a hedge against inflation through rising wages—was on a steady decline for the older population long before unemployment became the serious problem for the Nation that it now is. Only about one in every six people aged 65 or older is in the labor force at all and fewer than half of these hold fulltime jobs.

Furthermore, realistic assessment of labor force conditions gives little hope that the economy will generate enough job opportunities to solve the income problem of



older people, especially the oldest of them, now or in the years ahead. The elderly population's main hope for increased employment opportunities lies in an expansion of part-time paid community service jobs.

Nearly nine out of ten older people now receive Social Security benefits. For many, it is the major or only source of income. One-fourth of the aged couples on the rolls at the end of 1967 and two-fifths of the non-married beneficiaries, depended on Social Security for virtually their entire support—except perhaps for about \$300 per person for the year. Significantly, too, there had been little improvement in this respect since the incomes of aged beneficiaries were surveyed a decade earlier.

One in ten of the people over 65 receive Old-Age Assistance, more than half of them as supplementation of inadequate Social Security benefits.

#### LESS SIGNIFICANT INCOMES

One in five, perhaps, receives a private pension—and that can be as low as ten dollars per month. (Here, it is relevant to point out that only the most exceptional pension plan attempts to adjust to rising prices.)

For a very small proportion of older people income from assets is an important source of income. For the average elderly person, however, the major asset is the owned-home—an asset that is too often a drain on income rather than a source of income.

Clearly, then, our elderly population's best hope—one might even say "only hope"—for protection against the impact of inflation is through the Social Security system.

#### AMOUNTS OF INCOME

In 1970, half of all families with a head over age 65 had incomes below \$5,053. Half of all single aged individuals had incomes below \$1,951.

Thanks mainly to an increase in Social Security benefits, the median income in 1970 was 5.2 percent above 1969. But over the same period, the Consumer Price Index had gone up 6 percent.

Of all families with an aged head, 16.3 percent had incomes below the poverty level in 1970 and another 8.3 percent were on the borderline—a total of one out of every four elderly families. Of elderly persons living alone or with non-relatives, nearly six out of every ten were classified as poor or near poor.

#### INCOME VERSUS COST OF LIVING

For your purposes, Mr. Chairman, it is appropriate to examine these figures on the incomes of elderly people in the light of what it costs them to live in today's economy. The Bureau of Labor Statistics has updated its three budgets for urban retired couples. In the Spring of 1970, BLS estimates that the cost for an elderly couple would have been \$3,109 at the lower level—in effect, a poverty level—\$4,489 at the intermediate level and \$7,114 at the higher level—and even the higher level is by no means lavish. Nearly two out of every five aged couples had insufficient income to afford the intermediate budget. For two-thirds of the single aged persons, the equivalent intermediate budget costing \$2,469 was out of reach.

These comparisons take on special significance when it is recognized that, for both the lower and the intermediate budgets, about eight out of every ten dollars is allocated to housing, food, transportation and medical care. These are the costs of surviving from day to day. They are not expenditures that can be postponed until "the price is right".

#### EFFECT OF PRICE RISES

Probably no older couple in the United States spends its income in the exact manner indicated by the BLS budget. This is unimportant. Here are the important considerations. This nation has experienced unprecedented price rises: an increase in the CPI of 5.4 percent in 1969 and 6 percent in

1970, the two sharpest rises in nearly two decades. As of August 1971, the cost of living had registered increases for 55 consecutive months—the largest unbroken string in the 58 year history of the CPI. And, even more important, many of the price rises have been especially steep for the items on which the elderly are most dependent, items that take up an overwhelming share of their limited incomes.

#### SPIRALING MEDICAL COSTS

As an example, let's look at what has been happening to medical costs. Here I would insert a word of gratitude from the members of the National Council of Senior Citizens for the invaluable protection afforded by Medicare. But Medicare covers little more than \$2 out of every \$5 of their total medical costs, a proportion that has dropped recently and that still leaves unprotected a larger medical bill than the total bill for the average younger person. While the Consumer's Price Index for all items rose by nearly 40 percent from the 1957-59 base, physicians' fees rose about twice as fast or by nearly 80 percent. The increase for hospital daily service charges amounts to over 200 percent, meaning that these charges are now more than triple what they were some twenty years ago.

#### HOUSING ASSETS THREATENED

Total housing costs have risen by more than 25 percent during this period. Some of the costs of home ownership have seen much sharper rises, threatening the ability of the older person to continue to own the home—his major form of accumulating an asset that would be available in his old age after retirement had cut his income in half. Property taxes have risen by nearly 50 percent throughout the nation, according to the CPI, but we know that for many of our members they have doubled or tripled, in some instances exceeding the amount of the total downpayment made on the home years ago with the hope that old age could be secure. Property insurance rates are up more than 60 percent. So are the costs of home maintenance and repairs on which the elderly, whether owners or renters, are increasingly dependent as advanced age curtails the ability to "do it yourself".

#### TRANSPORTATION COSTS RISING

The cost of transportation, too, puts a special burden on the elderly. The cost of all forms of transportation has risen by something over 35 percent since 1957-59 but the cost of local transit fares has more than doubled. And it is on local transit that so many of our elderly are dependent.

#### THE PRESIDENT'S WAGE-PRICE FREEZE

Against this background—and before offering the recommendations of the National Council of Senior Citizens for dealing with the problem of the impact of inflation on the elderly—I would like to spend a few moments summarizing our reactions to the Administration's 90-day freeze as it affected our elderly population.

When the freeze was announced by the President, we foresaw grave danger that an undue portion of the burden of the so-called economic crisis would be borne by the most vulnerable of our citizens—welfare recipients and other elderly people living on low incomes.

#### WELFARE REFORM ABANDONED

The National Council was greatly dismayed when the President virtually abandoned his welfare reform legislation. We saw very real danger that the economic mood of the administration might even result in an effort to postpone the meager 5 percent cost-of-living adjustment passed by the House and awaiting Senate action as H.R. 1.

Therefore, on August 20, Nelson H. Cruikshank, President of the National Council of Senior Citizens wrote to President Nixon on behalf of our membership to ask for as-

urance that the badly needed improvements of H.R. 1 would not be lost in the effort to slow inflation. With your permission, I will introduce Mr. Cruikshank's letter to the President for the record. (There is no need to burden your record with the superficial staff acknowledgement of its receipt by the White House.)

#### LETTER OF CONCERN FROM SENIOR CITIZENS

Because of its relevance to the deliberations of the Committee, I would like to quote just one paragraph from Mr. Cruikshank's August 20 letter to the President:

"The price freeze offers little hope to our older people. Very few Social Security beneficiaries are going to be dashing out to buy new cars. Your order was too late to save our older people from rent increases, which many landlords put into effect as soon as Social Security beneficiaries got their last increase in June. Those who own their homes were provided no protection against sharply rising property taxes. Elderly people and the younger members of their families who are forced to borrow to meet urgent family needs find nothing in your plan to protect them against rising interest rates."

#### PROPOSALS FOR EASING THE IMPACT OF INFLATION

I turn now to the recommendations of the National Council of Senior Citizens for easing the burden of price rises for the elderly. I believe that these recommendations are of vital concern to the deliberations of this Committee even though they fall within the legislative responsibility of certain committees of the Congress.

#### SOCIAL SECURITY REFORM OVERDUE

First, a major reform of the Social Security system is long overdue. We need an immediate substantial increase—we recommend an across-the-board increase of 25 percent—in Social Security benefits, coupled with a Federally financed and administered guarantee of a floor of financial assistance to bring income above the poverty level.

Among the other reforms in the Social Security system that we recommend, are a significant increase in the wage base that is taxed and credited for benefits. Such an increase is essential in order that benefits of workers retiring in the future will bear a more reasonable relationship to their pre-retirement earnings. It is also essential in order to reduce the regressivity of the Social Security tax.

In this connection, I urge the members of this Group to exert all pressures to achieve the increases in the Social Security wage base and tax rates that are now provided in H.R. 1. Such postponement could seriously weaken the financial soundness of the system. If the system has an actuarial surplus any surplus is best used to increase the benefits of the elderly poor who desperately need additional purchasing power—purchasing power that serves to bolster the nation's economy.

#### USE OF FEDERAL GENERAL REVENUES

As another method of relieving today's workers of part of the heavy costs of Social Security, the National Council of Senior Citizens has long urged that Federal general revenues be used to finance a reasonable share of social insurance costs. We believe that the contributions from general revenues should be predetermined by formula built into the legislation and should approximate one-third of costs over the long run—equivalent to the costs resulting from paying benefits to workers already old when first covered, many of whom would otherwise have been dependent on public assistance.

Once Social Security benefits and the wage base have been more reasonably related to today's levels, they should be continuously adjusted—whether by formula or as a result of periodic review by the Congress. And this adjustment must take account not only of

risers in the cost-of-living but of ever higher standards of living and economic growth.

#### NEED FOR POLICY AND COMMITMENT

I need not point out to this Committee that our nation lacks both the policy and the commitment that would assure an adequate solution to the problem of the impact of inflation on its elderly citizens. But I do wish to point out in passing that our nation also lacks the very means for developing sound policy in this field. We do not really know whether the CPI for the population of all ages is an appropriate instrument for adjusting the benefits of the aged to take account of the price increases in their budgets. And we still have much to learn—especially from foreign experience—about methods of adjusting our Social Security system to economic growth.

#### IMPORTANCE OF NATIONAL HEALTH SECURITY

Second, until this nation has achieved National Health Security for the total population, the fixed incomes of our elderly people will be threatened by heavy and unpredictable health costs—unpredictable in so far as any one individual is concerned but predictable in that a continued escalation is inevitable. The National Council of Senior Citizens strongly supports National Health Security under which the government would assume responsibility for improving the organization and delivery of high quality economical health and health-related services as well as responsibility for the financing mechanism. Pending the enactment and development of National Health Security, we urge immediate improvements in Medicare and Medicaid to extend protection, to control costs, and to reverse the trend toward ever heavier copayments and deductibles. Among the improvements that would lessen the impact of rising medical costs on the elderly, is financing of Medicare solely through contributions from earnings and general revenues, eliminating the premiums paid by retirees living on fixed incomes. Another is federal assumption of the responsibility for financing and administering Medicaid for the elderly as being consistent with federalization of the adult titles for cash benefits as proposed in H.R. 1. This would, of course, permit uniform attention to the total health care needs of the older person—whether under Medicare or Medicaid.

#### PROMOTION OF PUBLIC SERVICE JOBS

Third, we believe that the government should actively promote the development of the public service jobs that are so badly needed by the nation and so appropriate for the employment of older persons. We further recommend immediate enactment of a nationwide Senior Citizens Community Service program—modeled on such outstandingly successful demonstrations as the Senior AIDES program of the National Council—to provide part-time community service opportunities for the low-income elderly, administered through the Labor Department as a special employment program for the elderly.

#### HOUSING IMPROVEMENTS NEEDED

Fourth, the National Council of Senior Citizens is deeply concerned that the needs of the elderly housing have been submerged by the Department of Housing and Urban Development in a program of meeting the housing needs of the low income group generally—to the serious neglect of the millions of elderly who are poor or close to the poverty level.

The truth is that this Administration's resistance to categorical aid and assistance is depriving older Americans in almost every area of Government operation. So we are asking the forthcoming White House Conference on Aging to support us in the contention that appropriate identification of programs and funds for the aged is necessary if

our elderly are going to get a fair shake in America's youth oriented society.

To the maximum extent possible, older people desire and should participate on equal terms in programs for the total population. But there will always remain areas requiring that older people be singled out for the special consideration that takes account of their greater needs (for example, the extra heavy burden of health care, especially for long-term illness, or their lesser ability to compete with younger people in the job market, and in housing).

Federal, State and local funds should be earmarked to provide adequate housing for the elderly.

Unless this earmarking is made, Government programs will continue to discriminate against the aged. I would like to appeal to this committee to examine closely the Administration's current housing bill—reopening hearings if necessary—to note the many discriminatory factors which will hinder the provision of suitable housing for our older people.

#### PROPERTY TAX RELIEF NEEDED

May I add a word about property tax relief?

In many parts of the country, the local property tax on the older person's home takes such a large share of limited income as to threaten continued ownership. This is a problem not likely to be solved locally. Therefore, the National Council recommends the development of a Federal program to reimburse States that extend relief to low-income householders—whether owners or renters—who are overburdened by property taxes.

#### SPECIAL EFFORTS NEEDED

In conclusion, the National Council of Senior Citizens wishes to express sincere thanks to the Democratic Policy Council for this opportunity to express our heartfelt views on the serious problem of the impact of inflation on the elderly population and to suggest some ameliorative actions. Older people depend on the economic strength of this nation for their very existence. They have a great stake in all efforts to promote economic stability. But the particular nature of their problems also requires special efforts to achieve real economic security in old age.

#### NATIONAL COUNCIL OF SENIOR CITIZENS, INC.,

Washington, D.C., August 20, 1971.

The President,  
The White House,  
Washington, D.C.

DEAR MR. PRESIDENT: In your new effort to slow inflation and reduce spending by holding down wages and certain categories of prices, by layoff of Government workers and by virtual abandonment of welfare reform legislation (which would place a floor for the first time under the family income of the nation's lowest paid workers), we have seen no specific mention of your support for H.R. 1, the combined Social Security and welfare reform bill that has passed the House of Representatives and which now awaits action in the Senate.

During your May 14 conference with representatives of the National Council of Senior Citizens and other national organizations of the elderly, you raised the hope that you were very much concerned with the desperate problems of the low income elderly (5,000,000 of them living in poverty and millions of other elderly citizens perilously close to the poverty line) and that you recognized the need for a Social Security boost above and beyond a mere cost-of-living increase.

On behalf of the National Council of Senior Citizens, this is to ask that you support the Social Security boost in H.R. 1 as well as the bill's provisions for federal takeover of payments to "adult categories"—the cur-

rent welfare assistance to the aged, blind and disabled.

Mr. President, our elderly citizens contributed much to raising America's standards to unprecedented levels and surely you would not want any portion of the burden of your Administration's efforts dealing with the present economic situation to fall on the backs of our aged, blind or crippled people. You have taken personal leadership in this economic crisis. Can we have your assurance at this time that your Administration will support the vital provisions of H.R. 1 affecting these people?

The price freeze offers little hope to our older people. Very few Social Security beneficiaries are going to be dashing out to buy new cars. Your order was too late to save our older people from rent increases which many landlords put into effect as soon as Social Security beneficiaries got their last increase in June. Those who own their homes are provided no protection against sharply rising property taxes. Elderly people and the younger members of their families who are forced to borrow to meet urgent family needs find nothing in your plan to protect them against rising interest rates.

The National Council of Senior Citizens will continue to press for an immediate 25 per cent increase in Social Security benefits—an increase in purchasing power of the elderly poor which is desperately needed by them and which, we believe, will also bolster the nation's economy.

Respectfully yours,

NELSON H. CRUIKSHANK,  
President.

Mr. GERALD R. FORD. Mr. Speaker, I would only say to my friend from Indiana that I think this White House Conference is doing a good job. I am sure there will be some legislation coming forth. It is too bad that the legislation did not reach the floor of the House in the orderly and regular order, with almost 12 months of opportunity to get it out of the committee. Unfortunately that did not happen. Now I think we ought at least to give the committee an opportunity to report a bill. That is a very simple process with all the hearings that have been held. So if the gentleman would tomorrow or Friday get his subcommittee together and the full committee and report a bill which is relatively simple, it could come up to Monday on suspension.

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

Mr. GERALD R. FORD. I yield to the gentleman from Missouri.

Mr. RANDALL. Mr. Speaker, reference has been made to the White House Conference on Aging. The other body passed the nutrition program for the elderly by a vote of 89 to 0. I predict there will not be many, if any, votes against this kind of a bill in this body. What we are talking about is an amendment to the Older Americans Act. This plan is one of the most important objectives of the White House Conference on Aging which is meeting here this very week. What are the alternatives? Well, we will either consider the bill today, and there will be an opportunity for a roll-call vote, or we will put it over to consider under suspension next Monday or Tuesday. I doubt if anyone will vote against it. At the most there will be only token opposition.

We all know what the bill provides. We know its humanitarian purpose. We



have read the morning newspapers with their explanation. It is that simple. We will either pass the bill of the other body while the White House Conference on the Aging is in session as we should or let them go home disappointed and disillusioned with our side of the Congress.

Mr. GERALD R. FORD. Let me ask the gentleman from Missouri whether he has read the Senate bill and the Senate report.

Mr. RANDALL. I have.

Mr. GERALD R. FORD. Has the gentleman seen a House bill and a House committee report?

Mr. RANDALL. I have.

Mr. GERALD R. FORD. You have?

Mr. RANDALL. Of course. There is no House report.

Mr. GERALD R. FORD. I would say the bill has come out of the committee very rapidly if the gentleman has read the committee bill and the committee report of the House Committee on Education and Labor.

Mr. RANDALL. The committee has held hearings. The chairman of the full committee here on the floor will verify that the committee has held repeated hearings on this bill. What I intended to say was that I had read and studied the bill on which our House committee was holding hearings.

Mr. GERALD R. FORD. Mr. Speaker, under the circumstances, I object.

The SPEAKER. Objection is heard.

#### REQUEST FOR PERMISSION TO FILE CONFERENCE REPORT ON H.R. 10947, THE REVENUE ACT OF 1971

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the managers have until midnight Saturday, December 4, 1971, to file a conference report to accompany H.R. 10947, the Revenue Act of 1971.

Mr. HALL. Reserving the right to object, may I ask the distinguished majority leader if the committee has met and has concluded its hearings and findings in the conference between the two bodies?

Mr. BOGGS. In response to the gentleman, the conferees have been in session since early Monday morning. It is my information that they are now completing some of the minor details.

Mr. HALL. Mr. Speaker, under those circumstances, and since we are coming in early tomorrow, unless the gentleman sees fit to withdraw his request, I will be constrained to object. We will have adequate time for the permission to be granted in the long day tomorrow.

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

Mr. HALL. I object.

The SPEAKER. Objection is heard.

#### PROVIDING FOR CONSIDERATION OF H.R. 11932, DISTRICT OF COLUMBIA APPROPRIATIONS, 1972

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 717 and ask for its immediate consideration.

The Clerk read the resolution as follows:

#### H. RES. 717

*Resolved*, That upon the adoption of this resolution, notwithstanding any rule of the House to the contrary, 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. 11932) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1972, and for other purposes, and the provisions of clause 2, rule XXI are hereby waived with respect to any appropriation contained in such bill.

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

Mr. Speaker, I know of no opposition to this rule, which waives points of order in behalf of consideration of H.R. 11932, the District of Columbia appropriation bill.

The waivers have to do with the 3-day rule, since the bill was reported only Monday, and it also has to do with clause 2 of rule XXI, which deals with lack of authorization for appropriations, and lack of authorization in this case is the \$36 million of Federal payment which is contained in the District of Columbia Revenue Act, which has not yet been signed into law, which has not yet become law.

Mr. Speaker, that is all that is involved in this rule. I urge its adoption.

Mr. SMITH of California. Mr. Speaker, the gentleman from Missouri is entirely correct. The bill was reported on Monday. It would not be eligible to be heard until tomorrow. I agree with the gentleman's remarks, and I urge adoption of the rule.

Mr. BOLLING. 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.

#### EXTENDING PERIOD WITHIN WHICH THE PRESIDENT MAY TRANSMIT TO CONGRESS REORGANIZATION PLANS

Mr. HOLIFIELD. Mr. Speaker, if it is in order, I should like to make a unanimous-consent request.

The SPEAKER. The gentleman will state his request.

Mr. HOLIFIELD. I ask unanimous consent, Mr. Speaker, to take from the Speaker's desk the bill (H.R. 6283) to extend the period within which the President may transmit to Congress reorganization plans concerning agencies of the executive branch of the Federal Government, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments; and pending action on that request, Mr. Speaker, I should like to explain it.

In the first place, let me say this is the basic Reorganization Act which was passed by the House on May 3. It was passed by the Senate on November 17.

What it does is to extend the President's powers to send up reorganization plans, as we have done for every President going back to the time of Roosevelt.

The changes which have been made by the Senate in the bill, as it passed the House by a large majority, have been mostly grammatical or technical changes, but there is one substantive change.

Under the bill as passed by the House, and as has been in effect over the years, upon any person filing a resolution of disapproval to the plan it became incumbent upon the committee to report that plan to the House within 10 days or else the committee lost control of the bill. The Senate has changed the 10 days to 20 days.

This does not change in any way the substantive purpose of the bill, but it does give the Committees on Government Operations in the House and in the Senate 20 days to hold hearings on the bill and to report it to their respective legislative bodies.

I have cleared this with the minority leader of the Committee on Government Operations, Mrs. DWYER, and also with the minority leader, Mr. GERALD R. FORD, and with the majority leadership. I know of no reason why H.R. 6283 should not be accepted as amended by the Senate.

The SPEAKER. The Clerk will report the title of the bill and the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Strike out all after the enacting clause and insert: That (a) section 901(a) of title 5, United States Code, is amended to read as follows:

"(a) The Congress declares that it is the policy of the United States—

"(1) to promote better execution of the laws, more effective management of the executive branch and of its agencies and functions, and expeditious administration of the public business;

"(2) to reduce expenditures and promote economy to the fullest extent consistent with the efficient operation of the Government;

"(3) to increase the efficiency of the operations of the Government to the fullest extent practicable;

"(4) to group, coordinate, and consolidate agencies and functions of the Government, as nearly as may be, according to major purposes;

"(5) to reduce the number of agencies by consolidating those having similar functions under a single head, and to abolish such agencies or functions as may not be necessary for the efficient conduct of the Government; and

"(6) to eliminate overlapping and duplication of effort."

(b) Section 901 of such title is amended by adding at the end thereof the following new subsection:

"(c) The President shall from time to time examine the organization of all agencies and shall determine what changes in such organization are necessary to carry out any policy set forth in subsection (a) of this section."

SEC. 2. (a) Section 903(a) of title 5, United States Code, is amended to read as follows:

"(a) Whenever the President, after investigation, finds that changes in the organization of agencies are necessary to carry out any policy set forth in section 901(a) of this title, he shall prepare a reorganization plan specifying the reorganizations he finds are necessary. Any plan may provide for—

"(1) the transfer of the whole or a part of an agency, or of the whole or a part of the functions thereof, to the jurisdiction and control of another agency;

"(2) the abolition of all or a part of the functions of an agency;

"(3) the consolidation or coordination of the whole or a part of an agency, or of the functions thereof, with the whole or a part of another agency or the functions thereof;

"(4) the consolidation or coordination of a part of an agency or the functions thereof with another part of the same agency or the functions thereof;

"(5) the authorization of an officer to delegate any of his functions; or

"(6) the abolition of the whole or a part of an agency which agency or part does not have, or on the taking effect of the reorganization plan will not have, any functions.

The President shall transmit the plan (bearing an identification number) to the Congress together with a declaration that, with respect to each reorganization included in the plan, he has found that the reorganization is necessary to carry out any policy set forth in section 901(a) of this title."

(b) Section 903(b) of such title is amended by inserting after "and to each House while it is in session" a comma and the following: "and furthermore shall not transmit more than one such plan to Congress within any period of thirty consecutive days."

SEC. 3. Section 904 of title 5, United States Code, is amended to read as follows:

"§ 904. Additional contents of reorganization plans

"A reorganization plan transmitted by the President under section 903 of this title—

"(1) may change, in such cases as the President considers necessary, the name of an agency affected by a reorganization and the title of its head, and shall designate the name of an agency resulting from a reorganization and the title of its head;

"(2) may provide for the appointment and pay of the head and one or more officers of any agency (including an agency resulting from a consolidation or other type of reorganization) if the President finds, and in his message transmitting the plan declares, that by reason of a reorganization made by the plan the provisions are necessary;

"(3) shall provide for the transfer or other disposition of the records, property, and personnel affected by a reorganization;

"(4) shall provide for the transfer of such unexpended balances of appropriations, and of other funds, available for use in connection with a function or agency affected by a reorganization, as the President considers necessary by reason of the reorganization for use in connection with the functions affected by the reorganization, or for the use of the agency which shall have the functions after the reorganization plan is effective; and

"(5) shall provide for terminating the affairs of an agency abolished.

A reorganization plan transmitted by the President containing provisions authorized by paragraph (2) of this section may provide that the head of an agency be an individual or a commission or board with more than one member. In the case of an appointment of the head of such an agency, the term of office may not be fixed at more than four years, the pay may not be at a rate in excess of that found by the President to be applicable to comparable officers in the executive branch, and if the appointment is not a position in the competitive service, it shall be by the President, by and with the advice and consent of the Senate, except that, in the case of an officer of the government of the District of Columbia, it may be by the Commission or other body or officer of that government designated in the plan. Any reorganization plan transmitted by the President containing provisions required by paragraph (4) of this section, shall provide for the transfer of unexpended balances only if such balances are used for the purposes for which the appropriation was originally made."

SEC. 4. (a) Section 905(a) of title 5 of the United States Code is amended by striking out "or" at the end of paragraph (5), by striking out the period at the end of paragraph (6) and inserting in lieu thereof a semicolon and the word "or", and by adding after paragraph (6) the following new paragraph:

"(7) dealing with more than one logically consistent subject matter."

(b) Section 905(b) of title 5, United States Code, is amended by striking out "April 1, 1971" and inserting in lieu thereof "April 1, 1973".

SEC. 5. Section 911(a) of title 5, United States Code, is amended by striking out "10 calendar days" and inserting in lieu thereof "20 calendar days".

Amend the title so as to read: "An Act to extend the period within which the President may transmit to the Congress plans for the reorganization of agencies of the executive branch of the Government, and for other purposes."

MR. HOLIFIELD (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the Senate amendments be dispensed with.

THE SPEAKER. Is there objection to the request of the gentleman from California to dispense with further reading of the amendments?

There was no objection.

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.

#### ADM. EMORY S. LAND

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

Mr. GARMATZ. Mr. Speaker, this past Saturday Vice Adm. Emory S. Land, U.S. Navy, retired, passed away at the age of 92. "Jerry" Land, as he was known to his thousands of friends, was a most remarkable man, one whose service and dedication to his country are well documented in his long and distinguished career. Some in this Chamber have personal recollections of his remarkable achievements in the dark days of World War II when he organized the largest shipbuilding program ever undertaken and produced the bridge of ships which turned the tide of victory against the Axis Powers.

To give my younger colleagues some insight into the dimensions and accomplishments of Admiral Land, I would like to trace some of the highlights of his career.

Admiral Land was born in 1879 in Canon City, Colo. As a young teenager he migrated to Wyoming. There he worked as a cowpuncher before entering the University of Wyoming, from which he graduated at the age of 19. He then applied for and was appointed to the Naval Academy in Annapolis.

Although weighing only 140 pounds, he distinguished himself in football, baseball, track, and other sports. Playing as halfback in the 1900 Army-Navy game, it was his touchdown in the closing minutes that enabled Navy to post an

11-7 victory over its arch rival. Admiral Land graduated in 1902, ranked sixth academically and first in athletic prowess.

After earning a masters degree in naval architecture at the Massachusetts Institute of Technology, he specialized in naval construction and was awarded the Navy Cross for his work in submarine design and construction during World War I. He was a member of the Allied Naval Peace Mission and in 1920 was named naval attaché in London.

A cousin of Charles Lindbergh, Admiral Land was keenly interested in aviation. He served as assistant chief of the Navy's Bureau of Aeronautics from 1926 to 1928. In 1929, at age 50, he took up flying and was qualified for a pilot's license.

In 1930, he returned to shipbuilding, and in 1933 with the rank of rear admiral, he was named as chief of the Bureau of Construction and Repair. In 1937, at the age of 58, Admiral Land was placed on the retired list. But his retirement was short-lived. Within a month, President Roosevelt appointed him a member of the Maritime Commission headed by Joseph P. Kennedy. The following year, when Mr. Kennedy was appointed Ambassador to England, Admiral Land was made chairman of the Commission—serving in that capacity until 1946.

It was in the years immediately preceding and during World War II that the administrative genius and tremendous drive of this man overcame the formidable challenges of building, in a very narrow and critical time frame, the enormous fleet of merchant ships and naval auxiliaries needed to provide the logistic lifeline to our Allies and subsequently our Armed Forces overseas. Had he not succeeded, the outcome of that war could have been very different, and in any event would have been greatly prolonged with attendant loss of additional lives by the U.S. Armed Forces and those of our Allies.

Under his leadership, 5,100 merchant ships and 700 naval auxiliaries were produced between 1940 and 1945. While the German submarines exacted an enormous toll of allied shipping during the initial years of World War II, and nearly succeeded in isolating our Allies, the prolific output of ships from American shipyards succeeded in winning the Battle of the North Atlantic. The needed supplies got through and the full might of well equipped American and Allied Forces threw back the Axis Powers first in Europe and then in the Pacific.

To gain some insight into the magnitude of Admiral Land's shipbuilding achievements, in 1943 a total of 1,849 ships were delivered; in the following year an additional 1,786 were delivered.

The feat of producing nearly 6,000 large ships in the short span of only a few years with a largely inexperienced work force, and despite shortages of steel and machinery components by no means fully encompasses his contributions to this Nation. In addition to the building of this vast armada, Admiral Land also was responsible for training the officers and crews which manned these ships—a substantial task in itself.

Admiral Land, who received the per-



sonal commendations of Presidents Roosevelt and Truman, relinquished his responsibilities in 1946. But his second retirement also was short-lived. He assumed the presidency of the Air Transport Association in the same year. Eight years later in 1953 at age 74 he tendered his third resignation. But again, he refused to go into retirement. He accepted the position of consultant to the General Dynamics Corp., and by Jerry Land's standards this was not to be a token job. Every morning, 5 days a week, Admiral Land walked the 4 miles from his apartment at the Sheraton Park Hotel to his office on Connecticut Avenue, putting in a 9 to 5 workday right up to the week before his death.

Having had the pleasure of knowing this gentleman for more than two decades, and appreciative of the guidance and recommendations he has given to the Committee on Merchant Marine and Fisheries on numerous occasions, I can say with strong conviction that this Nation has lost a truly great American. He was a life-long exponent of seapower and a strong American merchant marine. It was he during World War II who reconstituted our depleted merchant marine at a time when the Nation's future depended on it. And it was he who voiced alarm at the contraction of our fleet and the mounting obsolescence problems that increasingly diminished our maritime capabilities during the past decade.

Currently, we are embarked on the first extensive program to rebuild our merchant marine since Jerry Land undertook the task some 30 years ago. I hope and trust that our efforts are brought to fruition—for there may not be another Jerry Land available in the future to correct our maritime deficiencies if this Nation again finds itself imperiled by hostile forces.

#### SPEECH BY FORMER CONGRESSMAN WILLIAM BELL WALTON

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

Mr. WHITE. Mr. Speaker, early this month I received a letter from a very lovely lady of El Paso, Tex., Mrs. Frances M. Walton. Mrs. Walton is the widow of former U.S. Congressman from New Mexico, William Bell Walton, who served in the House during World War I, the time when New Mexico had one Congressman.

Mrs. Walton wanted to share with me a speech that her husband had given at Fort Bayard, N. Mex., during Memorial Day services at the conclusion of World War I. Mr. Speaker, I in turn want to share this truly outstanding speech with you and my colleagues of the House. Even though former Congressman Walton gave this speech over 50 years ago, it is pertinent today.

The speech follows:

SPEECH BY FORMER CONGRESSMAN WILLIAM  
BELL WALTON

Memorial Day is a day of devotion to the memories of Americans who have died in war. Prior to 1919 the day was almost en-

tirely devoted to memorial exercises in honor of the Union Soldiers, with the G.A.R. organizations conducting the ceremonies. Since the World War, however, the scope of the day has broadened in observance and solemnity and the day, created a national holiday by Congress, is now devoted to tributes not only to the heroes of the Civil War, but the heroes of every war—the Spanish-American war, the Philippine Insurrection, the Boxer Rebellion, the Expedition into Mexico, and the great World War—in which human lives were sacrificed to the cause of country.

In the South the day is observed as in the North, for the great United States of America today is a confederation of state units that knows neither North nor South nor East nor West. In the flag of the republic the star of each state is of equal size, and not one is designated by section.

Memorial Day brings deeper and richer memories every year, as the roll of honor grows longer with the names of Americans who have died for their flag at home, overseas and on islands of the seas. An hour can be spent profitably by every American today, glancing back over the record of the United States and making an estimate of the present and the future of the country. What did the dead accomplish by giving the last full measure of devotion? Are the living impressed by what they did and do they more than ever highly resolve that the dead shall not have died in vain?

Every one of the American dead—every soldier, every sailor, every marine—gave all of himself to his country. If that is not a reminder that every American owes at least some of himself to his country, then, indeed, the dead died in vain.

The dead gave honor, glory and devotion to the flag. What are the living Americans giving to it? Is it honor, glory and devotion? Is each citizen sifting out the patriotism from the selfishness in his heart, and giving to the country only the best that is in him, as the dead gave before they were taken away? Or is the living American carefully selecting and saving the best of himself for his own personal use, and giving to his country only a pretense of patriotism, an appearance of devotion, a semblance of honor? It is not for you or for me to pass judgment. We cannot do so justly. It is for each citizen to search his own heart and conscience and render judgment as to himself.

It has been said that patriotism must be an intelligent patriotism; there is much that passes for it that is not intelligent, and some that falls within an immortal author's definition: "Patriotism is the last refuge of a scoundrel". Nothing is easier than to be patriotic when it is simply a question of going with the crowd. But more than this is required—disinterested service, a full discharge of the duties of citizenship (even to the honest paying of taxes), independence and courage in the exercise of the right to vote, obedience to the law, etc. There must be service by outward act and deed, and not mere lip service.

One who believes in America must know America, and the better one knows his country the more intense will be the faith and the more devoted the service. America, after all, is nothing more than the people who call themselves Americans, for ideas and ideals do not merely float in the air—they are incarnated in men and women, and by men and women they are applied to life. Principles are of no value till they are acted on, and they must be acted on by people. The memories and traditions of our past are attached to people, and the history of our country was made by people. It is then, consequently, into the labors of very real people that we of the present have entered, among very real people that we live and exist.

The problem, therefore, is one of keeping Americans true, not solely to the flag, but to the flag as the symbol of a great national life. Into that life it is necessary to enter, in it men must share. The more complete their participation the greater will be their love of their country—love of it for what it really is, and love of all that it represents. A patriotism thus enlightened and inspired will be close akin to religion.

It is not boasting to magnify one's blessings, nor to dwell lovingly and proudly on the principles and ideals which are American. It is necessary indeed to do this, since there are some unhappy souls who see nothing good in America. Nothing can be done with or for such, but it may be possible to prevent others from being led astray through ignorance of what America truly is.

The American people have been impervious to the incursions and attacks of agitators, not because they are dull and stupid, but rather because they are satisfied, and have every reason to be. They know their country well enough to realize that there is no land in the world in which opportunity is more freely offered, no land which comes so near being the country of the average man.

(On this Memorial Day, therefore, the people should pledge themselves to greater devotion to American ideals, to more loyal and unselfish service, and to stricter conformity to those great principles which lie at the basis of the nation's life.) There is great need for education, since much of the failure to appreciate this country is due to a pitiable ignorance of its history and its institutions. And this ignorance is often the densest in the minds of those who think of themselves as reformers, and who indeed are allowed to pose as such. Men need to be very sure that they know what liberty, as won by our forefathers and our nation's defenders preserved, including our hero dead whose memories we are today honoring, really and actually is.

It is particularly necessary that they should understand the right of minorities, and should realize that there is such a thing as the despotism of majorities. There are some things that a vote of the majority cannot be allowed to sanction, as our constitution recognizes. Perhaps this is one of the most important lessons to be learned, as it seems to be the most difficult to bring home to men. The very restraints of which the uninformed so often complain have no other purpose than to protect the helpless against the strong. And this is a part of Americanism.

In conclusion, the true significance of Memorial Day is a re-dedication of the lives and purposes of living Americans to those ideals of government for which so many of our cherished have "paid the last full measure of devotion". We can smother their resting places with flowers—it costs little. We can listen to sonorous eulogies of their deeds and their supreme sacrifice, but the highest tribute we can pay the glorious dead is to take from their hands the "fallen torch" and carry it aloft.

#### BIG BUS BILL—THE BLAST PROBLEM

(Mr. SCHWENGEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHWENGEL. Mr. Speaker, my colleagues have been most patient with me as I have repeatedly warned of the danger created by the "blast" experienced when passing or being passed by big trucks and buses. At long last we have at least a summary report on this problem as it relates to big trucks. The report

summarizes work being done by Systems Technology, Inc., of Hawthorne, Calif., for the Department of Transportation.

The entire text of the summary will appear in today's Extension of Remarks. Let me briefly mention some of the results of the study. One of the most devastating findings is the following:

The truck disturbance can result in a serious lateral deviation of the car/driver system, in some cases causing a lane boundary exceedance or potential collision.

This statement gives full recognition of the existence of the problem and its seriousness. It should be kept in mind that the studies were conducted with a standard size stationwagon car. Thus, the poor Volkswagen driver or the driver of any small car, including the many American made small cars, can anticipate far more serious consequences from the blast effect. The report states that:

Increasing the truck width has two main effects: it increases the intensity of the truck disturbance and it decreases the side to side clearance between car and truck.

The report suggests a 6-inch increase in lane width to offset the effects of the 6-inch increase in vehicle width. However, the report goes on to state:

Increased lane width reduces the hazard by moving the car away from the truck, but it has little effect on the intensity of the disturbance experienced by the car.

One of the more astute observations of the report is contained in the following "think tank" language:

The psychophysiological response measures show an increased driver stress associated with the truck disturbance input.

Put in layman's terms this means that truck blast scares the hades out of most drivers.

Contrary to information provided earlier to the House Public Works Committee by the Department of Transportation officials, it would appear that the results of the truck blast study can be validly applied to buses.

I commend the full report to my colleagues here, and especially to my colleagues in the other body.

#### WHITE HOUSE POSITION ON RESTORATION OF DISTRICT OF COLUMBIA SUBWAY CONSTRUCTION FUNDS

(Mr. GUDE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUDE. Mr. Speaker, there should be no mistaking the Republican position, as expressed again and again by the White House, on the Giaimo amendment to restore the long-due District of Columbia subway construction funds to the District of Columbia budget.

As the White House reemphasized yesterday afternoon, President Nixon "wholeheartedly supports an amendment which will be introduced on the floor to restore the whole amount"—meaning the full \$72 million that, up to now, the House Appropriations Committee has barred the District from contributing to the subway construction.

The White House noted that the President feels "we are at a critical juncture and no further delays can be tolerated."

This was a restatement of the President's personal statement on November 18 that a failure to grant the money now could "consign the entire project to an early grave."

Virtually all Federal site planning and construction in recent years here has been done on the basis that these sites and buildings would become accessible to workers and the general public through construction of the Metro system—a system that has been encouraged, approved and authorized in a long series of congressional actions beginning in 1952. All of the great construction of Federal buildings in the southwest of the city, for example, has been predicated on subway construction. And much of the solution to the tangle of autos—those of constituents and workers—on Capitol Hill depends on the subway line that will have a station south of the Capitol, convenient to the House Office Buildings.

Republicans are traditionally for economy, which includes the maximization of the usefulness of facilities—a good reason to vote for the Giaimo amendment. Republicans are traditionally for access to jobs, as opposed to increases in welfare—another good reason to vote for the Giaimo amendment. Republicans are traditionally for making government more accessible to the governed—a third good reason to vote for the Giaimo amendment.

#### THE UNITED NATIONS

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

Mr. HUNGATE. Mr. Speaker, at a time when 125 Congressmen and 68 Senators have joined to support the resolution for United Nations Charter review and revision, the following excerpts from an article in *Punch*, November 17, seem appropriate:

##### UNITED WE YAWN

(By William Davis)

NEW YORK.—There is one question which every delegate to the United Nations sooner or later has to face up to.

*How does one stay awake?*

Peking may be overjoyed that it has been allowed to "join the world" (as the *Sunday Telegraph* has put it) but I fancy that, before long, some of its delegates will wish they had stayed at home. Diplomats are taught to suffer tedium, and it may well be that the Chinese have undergone rigorous training in some of their innumerable councils and committees. But it takes a special kind of skill to sit through U.N. debates without nodding off. Take my word for it; I've tried it.

Like all forums, the U.N. has developed a considerable talent for creating non-issues. Its commissions, sub-commissions, boards and committees know how to turn even the smallest difference on some point of procedure into a crisis. There is never a shortage of subjects: the U.N. could keep talking even if it came across a day when nothing whatever was happening in the world outside.

One regular topic is money. According to Secretary General U Thant, the family of nations is "near a state of hopeless insolvency." And Bruce Turner, a New Zea-

lander who has the unenviable job of minding its empty purse, says that pay-day for the U.N.'s 8,552 staff has become "a recurrent nightmare". The reason is simple: countries like Russia and France refuse to help meet the bill for peace-keeping operations of which they disapprove.

Talk is cheap, but soldiers cost money. So do tanks. Even flags and armbands are getting more expensive. It's all very well for people like Jeremy Thorpe to argue that U.N. troops should move into Northern Ireland, but who's going to pay their wages every Friday?

Up to now, poor U Thant (who, not surprisingly, has been languishing in hospital with an ulcer) has been able to count on the Americans to bail him out. They have put up more cash than anyone else—which explains, of course, why they were so mad when the General Assembly decided to throw out Taiwan.

Americans, as we all know, like to get value for their money. After so many down-payments, it seemed reasonable to regard the U.N. as their own. So everyone, from the President downwards, was indignant. "Suddenly," wrote one commentator, "we remembered that we keep the U.N. and that the hussy who betrayed us is not only treacherous, but extravagant."

William Rogers, the Secretary of State, hinted that Washington would be less forthcoming in future. On Capitol Hill, one senator urged the United States to "take its football and go home." Barry Goldwater felt that, if anyone went home, it should be the ungrateful fellows who had dared to defy their rightful master. The U.N., he said, should be moved out of New York and to some other country. Martha Mitchell, the formidable wife of America's Attorney-General, was more specific. U Thant and his China-loving friends, she felt, should move to Switzerland. Then, the good lady added, New York's Mayor Lindsay could "take the money he uses for the United Nations and spend it on the subway to prevent raising the fares."

At the massive U.N. building, reactions were mixed. Some delegates simply shrugged their shoulders and said they didn't care that much for New York anyway. Others pointed out that Switzerland, with its passion for neutrality, would never agree to be host to any international body which occasionally used troops to keep the peace. And there were some who simply asked: "who is Martha Mitchell?"

One shrewd fellow I talked to thought it would be interesting to see what would happen if the U.N. threatened to move to, say, Moscow. Would Washington agree—or double its contribution to bribe the U.N. into staying?

The Secretariat itself, meanwhile, has derived a modicum of comfort from the fact that China's admission has, unquestionably, revived public interest in what the family is doing.

Until the Big Vote, most Americans had no idea who was in the U.N. and who wasn't. No-one ever paid the slightest attention to what the delegates from Taiwan were saying. Indeed, people had almost forgotten that the U.N. existed. It was a harmless talking shop, the plaything of the world's most powerful nation. America's leadership was never questioned: on nearly every vital issue it either secured U.N. support or managed to stalemate moves which it considered to be against American interests. Freedom meant the right to agree with Washington—no more, no less.

The Big Vote, accompanied by the kind of merriment which is regarded as normal in Congress or the House of Commons but tends to be resented when the Africans indulge in it, has put the U.N. back on the map. U.N. officials rushed out to buy a Red



Chinese flag and printed new postage stamps. They've been suitably rewarded: the average number of daily visitors guided through its chambers has jumped by more than twenty per cent. "The people are excited about business, you sort of feel it," says one of the 65 guides from 40 countries who take people on hour-long tours. For the first time in years tourists have been queuing up outside the wrought iron gates on rainy mornings—paying \$1.50 to get in.

Everyone, of course, is anxious to get a glimpse of the Chinese. It's a bit like the arrival of a new species in the local zoo; people want to see for themselves whether they really look like monsters or like ordinary human beings. The same thing happened when the Russians first came to New York, but they have long ago ceased to be of special interest. Fashion writers are already speculating about the Chinese mission's possible impact on the fashion scene; Mao tunics may become the "in" gear of 1972.

The extra takings clearly are most welcome. But it's not all plain collecting: a survey just published suggests that it could cost the United Nations more than £2 million to make Chinese a working language. And U.N. officials, who are already displaying Chinese documents on their office desks, are deeply depressed by the possibility that they may actually be asked to make some attempt to understand it.

The Chinese, apparently, mean to be "the undisputed champions of the world's underdeveloped nations." No one quite knows, as yet, what this will mean for the U.N., but Western delegates suspect that, at the very least, it will mean an escalation in rhetoric. The British delegation, I gather, is undecided how it will respond if the Chinese call them imperialistic pigs. To ignore it would be a sign of weakness; to hit back might lead to a decline in Anglo-Chinese trade.

There is, however, general agreement that the Chinese will live up to the proceedings—which, until now, have usually been about as riveting as an undertaker's convention. There hasn't been much in the way of excitement since Mr. Khrushchev took his shoes off and pounded the table. One sensed a certain amount of disappointment when Peking announced that they would be known as "China, People's Republic of," instead of "People's Republic of China" because, if they had plumped for the latter, they would have started right off as President of the Security Council. (The Presidency rotates monthly according to the English-alphabet names of member countries. Nicaragua was boss in October, and China could have jumped in before Poland.)

The assumption is that China will become one of the big power blocs which dominate the U.N. Most of the other 131 members, including a surprisingly large number with names one has never heard of, are contemptuously referred to as "hot pants principalities." Britain comes somewhere in between; our only chance of being a power bloc lies in persuading the Common Market to send a European delegation to the U.N., instead of ten separate national missions.

But is it worth it? The U.N. is a useful forum for letting off steam, but everyone knows that real power lies elsewhere. U.N. delegates are, for the most part, insignificant people who play no real part in the Government of their country. (Hand on heart: do you know the names of our delegation?). The General Assembly and Security Council give the "hot pants principalities" a chance to feel important, and it would be churlish to argue that they don't deserve it. They have, after all, waited a long time to join the diplomatic game.

But, as Spiro Agnew has pointed out with characteristic tact, the U.N. is a paper tiger. If one big power wants to deal with another, it ignores the U.N. and makes direct contact—as Richard Nixon has done with Moscow and Peking. The U.N. is a debating so-

clety which can be, and invariably is, brushed aside whenever the interests of a big country are threatened. Even in the warlike confrontation between India and Pakistan, a crisis of far greater magnitude than China, the U.N. sits silent and helpless.

Feeble and broke, the U.N. is drowning in paper and empty talk. Absenteeism has not, surprisingly, become a major problem. The Secretariat means well, and has done some interesting plans, including the creation of a U.N. university with a string of post-graduate research centres scattered around the globe. It would dearly love to capture the interest and support of the young. But it is painfully aware that, at a time when international understanding and co-operation has never been more badly needed, the U.N. is having to struggle for survival. While America was still interested in playing world policeman, it could look for both status and financial help. Now that Washington is pulling back, the going is likely to become more difficult—despite the admission of Mao's China.

It's not only the big countries who snub the U.N. with impunity. Even the little ones do it. At a General Assembly meeting the other day, an elected Minister from the Indian Ocean islands of Seychelles quietly but firmly asked the U.N. to mind its affairs and stop pressing independence on the 55,000 inhabitants.

They preferred, he said, to stay linked with the British. "We have learned to like and understand them," he explained. Whatever else might be said about the British elsewhere, it was wrong and malicious to style them "exploiters and oppressors" as they so often were in the U.N.

British delegates, reported the *New York Times*, looked smug. And well they might: it's a long time since we were last praised for hanging on to a bit of the old Empire.

#### CHILDREN DEVELOPMENT PROGRAM

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

Mr. BRADEMAS. Mr. Speaker, the need to strengthen our efforts in early childhood development was clearly stated by President Nixon in his February 1969 economic opportunity message to the Congress. The President said at that time:

So critical is the matter of early growth that we must make a national commitment to providing all American children an opportunity for healthful and stimulating development during the first 5 years of life.

Mr. Speaker, this week the House of Representatives is scheduled to vote on S. 2007, the conference report which extends the Office of Economic Opportunity for 2 more years and establishes a comprehensive child development program.

I am aware that many people, including newspaper columnists, have distorted the facts regarding this legislation. I regret such distortion since the public must rely on the media for much of its information; if that information is incorrect, the public becomes misinformed. In order to clarify some of the misrepresentations and misunderstandings regarding this legislation, I would like to address myself to certain allegations.

#### PUBLIC AWARENESS OF THE LEGISLATION

During the past 3 years, beginning with the introduction of the original bill on

August 19, 1969, the Select Subcommittee on Education of the House Committee on Education and Labor held 20 days of hearings on proposals to establish a comprehensive child development program in the Department of Health, Education, and Welfare.

On March 25, 1971, a revised version was introduced and the bill was subsequently cosponsored by nearly 100 Members of both parties of the House. The full committee ordered H.R. 8748 reported on September 23, 1971, by a record vote of 28 to 3 and 1 present.

Hundreds of witnesses—166 witnesses and statements—including parents, officials representing the Nixon administration, Governors from across the country, have testified in favor of the comprehensive approach to child development. Numerous newspaper articles, magazine articles, television and radio have discussed the child development bill. Therefore, to say that the public, including Congress, was not aware of what was before it cannot be accurate.

The child development bill was added as an amendment to the OEO legislation in order for the House to have the opportunity to vote on the measure. Otherwise, the House would have been forced to conference with the Senate—which had previously passed a similar measure—without having acted upon this important piece of legislation.

#### PARENTAL CONTROL OF PROGRAMS

Mr. Speaker, there was no item in the bill which was given more attention than that of providing for parental involvement and control. Although the legislation would provide for Federal money to support comprehensive child development programs, which includes day care, health, and educational programs for children, these programs must be planned, created, and operated at the local level by parents or persons of their choosing. The Office of Child Development in the Department of Health, Education, and Welfare would be involved only in attempting to set a common set of standards and the administering of funds on an allotment basis—distribution on basis of poverty, working mothers, and children below the age of 6.

One of the goals of the bill is to give the taxpayer some of his money back so that churches, schools, and parents at the local level can provide preschool programs for their children without the control of either State or Federal Governments.

Clearly, therefore, the bill would not mean, as some have charged, that the Federal Government take over responsibility for child development. This legislation should be viewed rather as providing an incentive to States and local communities to help them in developing their day care programs in churches, in community centers, in schools, and the kindergarten effort now being undertaken by many States.

Parental authority—in relation to the child as well as the child development program in which he or she participates—is assured in the program in its conference report.

The statement of findings and purpose states that comprehensive child de-

velopment programs should be available to children whose parents or legal guardian shall request them regardless of economic, social, and family backgrounds, section 501(a)(2), page 5. To ensure that services are voluntary, each comprehensive child development plan submitted must include a provision that services shall be provided only for children whose parents or legal guardians have requested them, section 515(a)(24), page 16.

Section 581(a), page 33, requires that no part of the bill "shall be construed or applied in such a manner as to infringe upon or usurp the moral and legal rights and responsibilities of parents or guardians with respect to the moral, mental, emotional, and physical development of their children." Nor can invasion of privacy or abridgment of legal remedies for such legal protection be accomplished.

Specific protection is provided against testing without informing the parent or giving him an opportunity to except his child, section 580, page 33. And if a parent objects in writing on religious grounds to medical or psychological exams or immunization—except to protect public from epidemics—or treatment, his child is excepted from such treatment, section 574(f), page 31.

A child development plan must further provide for regular and frequent dissemination of relevant information to parents and the community in their functional language, section 515(a)(15), page 16. The plan must also coordinate, insofar as possible, its programs with other social programs so as to keep family units intact or in close proximity during the day, section 515(a)(10), page 15.

The bill's statement of findings and purpose concludes that decisions on the nature and funding of child development programs are to be made at the community level with the full involvement of parents and others in the community. In other words the program is controlled and directed by parents interested in child development, section 501(b), page 6.

Parent involvement in their children's programs is required at various decision-making levels such as the following:

First, in the local project: at least one-half of the project policy committee must be parents, and the other members, except for the specialist, must be representative of the community and approved by the parent members, section 516(a)(2), pages 17-18. The committee must directly participate in the development and preparation of the project application. Training, administrative, and necessary out-of-pocket expenses for low-income members are required. Members of committees are appointed by the project applicant.

Functions of the project committee include approving goals, policies, actions and procedures for the project applicant, including planning, overall conduct, personnel, budgeting, and locations of centers and facilities.

The project application must also provide for the regular and frequent dissemination of information about the project to parents and interested persons in the functional language. Projects must also employ paraprofessional aides and volunteers, especially parents and others,

section 516(a)(10), page 19. Staff must be adequate to meet specialized needs of each child, section 516(a)(12), page 19.

Second, the prime sponsor—charged with overview and conduct of all programs in a community or State—through its child development council; the prime sponsor's plan must provide for direct parent participation in the conduct, overall direction, and evaluation of programs section 515(a)(11) page 15.

The membership of the Child Development Council must be at least one half parents of children in programs and also must be selected by Headstart and project policy committees. At least one-third of the total membership must be parents who are economically disadvantaged, sections 514(a) and (b), pages 13-14. The Council's functions are similar to policy committees but it may also conduct public hearings, section 514(b)(3), page 14.

Third, At the National level: Not less than one-half of the membership of the Special Committee on Federal Standards for Child Development Services to develop program standards and of the special committee to develop uniform minimum code for facilities must be parents of children in child development programs, Headstart, and day care under title IV programs. Both committee memberships are to be appointed by the Secretary and report to him, section 534, 535, pages 23-24.

In conclusion, Mr. Speaker, I would like to make clear that if there had been any effort in this legislation to reduce the central role of the family in rearing children, the bill would not have had my support.

The bill specifically provides that nothing in it "shall be construed or applied in such a manner as to infringe upon or usurp the moral and legal rights and responsibilities of parents or guardians with respect to the moral, mental, emotional, or physical development of their children." While there may be disagreement about various aspects of the bill, there is certainly no disagreement about this provision. All programs under this bill will be under the complete direction of the parents.

#### INADEQUATE ROLE FOR THE STATES

No one who has read the bill thoroughly can make the charge that the States do not have a significant role. The language is specific in requiring State involvement at every stage; creation of prime sponsors, formation of comprehensive child development plans and project operation. Up to 5 percent of operating funds will be available to States to carry out their functions. HEW may use States to provide technical assistance and program coordination. In other words, there is every opportunity for the States to identify problems, to help in solving them, and to point out to HEW that programs are not meeting the requirements of the act or HEW standards. The State which fails to influence programs positively in this situation will do so because of its own ineptitude rather than any deficiency in the law.

#### STATE PARTICIPATION

The statement of findings and purpose states that it is essential that the plan-

ning and operation of child development programs can be a partnership of parents, community, and State, and local government with appropriate assistance from the Federal Government, section 501(a)(6), page 6.

The participation of the States is encouraged by section 517 that provides for special grants to States to carrying out activities such as identifying the State's goals and needs; assisting child development councils, encouraging the participation of related State agencies, and so forth, see pages 19 and 20. Up to 5 percent of the funds allocated for use in a State are reserved for the State upon its application, section 503(c), page 8.

The Governor must have 30 to 60 days to review applications for designation, to offer recommendations to applicant and submit comments to the Secretary, section 513(g), page 12. In addition, no plan or modification of a prime sponsor shall be approved unless the Secretary determines that the Governor of the State has had an opportunity to submit comments to the prime sponsor and the Secretary, section 515(b)(3), page 17.

No locality or State may reduce its expenditure for day care or child development because of assistance under the bill, section 520(e), page 22.

In addition, the State may assume responsibilities of child development programs if the local communities fail to meet the needs of children, section 513(a), (e), and (f).

Mr. Speaker, at this point I insert the text of the conference reported bill:

#### CHILD DEVELOPMENT

SEC. 13. (a) Title V of the Economic Opportunity Act of 1964 is amended to read as follows:

#### "TITLE V—CHILD DEVELOPMENT PROGRAMS

##### "STATEMENT OF FINDINGS AND PURPOSE

"SEC. 501. (a) The Congress finds that—

"(1) millions of children in the Nation are suffering unnecessary harm from the lack of adequate child development services, particularly during early childhood years;

"(2) comprehensive child development programs, including a full range of health, education, and social services, are essential to the achievement of the full potential of the Nation's children and should be available to children whose parents or legal guardians shall request them regardless of economic, social, and family backgrounds;

"(3) children with special needs must receive full and special consideration in planning any child development programs and, pending the availability of such programs for all children, priority must be given to preschool children with the greatest economic and social need;

"(4) while no mother may be forced to work outside the home as a condition for using child development programs, such programs are essential to allow many parents to undertake or continue full- or part-time employment, training, or education;

"(5) comprehensive child development programs not only provide a means of delivering a full range of essential services to children, but can also furnish meaningful employment opportunities for many individuals, including older persons, parents, young persons, and volunteers from the community; and

"(6) it is essential that the planning and operation of such programs be undertaken as a partnership of parents, community, and State and local government with appro-



private assistance from the Federal Government.

"(b) It is the purpose of this title to provide every child with a fair and full opportunity to reach his full potential by establishing and expanding comprehensive child development programs, and services designed to assure the sound and coordinated development of these programs, to recognize and build upon the experience and success gained through the Headstart program and similar efforts, to furnish child development services for those children who need them most, with special emphasis on preschool programs for economically disadvantaged children, and for children of working mothers and single parent families, to provide that decisions on the nature and funding of such programs be made at the community level with the full involvement of parents and other individuals and organizations in the community interested in child development, and to establish the legislative framework for child development services.

#### "AUTHORIZATION OF APPROPRIATIONS

"Sec. 502. (a) For the purpose of carrying out this title, there is authorized to be appropriated \$2,000,000,000 for the fiscal year ending June 30, 1973. Any amounts appropriated for such fiscal year which are not obligated at the end of such fiscal year may be obligated in the succeeding fiscal year.

"(b) For the purpose of providing training, technical assistance, planning, and such other activities as the Secretary deems necessary and appropriate to prepare for the implementation of this title, there is authorized to be appropriated \$100,000,000 for the fiscal year ending June 30, 1972.

#### "ALLOCATION OF FUNDS

"Sec. 503. (a) The amounts appropriated for carrying out this title for any fiscal year after June 30, 1972, shall be made available in the following manner:

"(1) \$500,000,000 shall first be used for the purpose of providing assistance under parts A, B, and E of this title for child development programs focused upon young children from low-income families, giving priority to continued financial assistance for Headstart projects;

"(2) not to exceed 10 per centum of the remaining amounts so appropriated shall be used for the purpose of carrying out parts B, C, D, and E of this title, as the Secretary deems appropriate; and

"(3) the remainder of such amounts shall be used for the purpose of carrying out part A of this title.

"(b)(1) From the amounts available for carrying out comprehensive child development programs under part A of this title, the Secretary shall reserve the following:

"(A) not less than that proportion of the total amounts available for carrying out such part A as is equivalent to that proportion which the total number of children of migrant agricultural workers bears to the total number of economically disadvantaged children in the United States, which shall be apportioned among programs serving children of migrant agricultural workers on an equitable basis, and to the extent practicable in proportion to the relative numbers of children served in each such program;

"(B) not less than that proportion of the total amount available for carrying out such part A as is equivalent to that proportion which the total number of children in Indian tribal organizations bears to the total number of economically disadvantaged children in the United States, which shall be apportioned among programs serving children in Indian tribal organizations on an equitable basis, and to the extent practicable in proportion to the relative numbers of children in each such program;

"(C) not less than 10 per centum of the total amount available for carrying out this title, which shall be made available for the

purposes of section 512(2)(I) of such part (relating to special activities for handicapped children);

"(D) not to exceed 5 per centum of the total amount available for carrying out such part A, which shall be made available under section 513(f)(3) of such part (relating to model programs).

"(2) The Secretary shall allocate the remainder of the amount available for part A of this title (after making the reservations provided for in paragraph (1) of this subsection) among the States so as to provide the following geographical distribution:

"(A) 50 per centum thereof so that the amount allotted for use within each State bears the same ratio to such 50 per centum as the number of economically disadvantaged children through age 14 in the State, excluding those children in the State who are eligible for services funded under clauses (A) and (B) of paragraph (1) of this subsection, bears to the number of economically disadvantaged children in all the States, excluding those children in all the States who are eligible for services funded under clauses (A) and (B) of paragraph (1) of this subsection;

"(B) 25 per centum thereof so that the amount allotted for use within each State bears the same ratio to such 25 per centum as the number of children through age 5 in the State, excluding those children in the State who are eligible for services funded under clauses (A) and (B) of paragraph (1) of this subsection, bears to the number of children through age 5 in all the States, excluding those children in all the States who are eligible for services funded under clauses (A) and (B) of paragraph (1) of this subsection;

"(C) 25 per centum thereof so that the amount allotted for use within each State bears the same ratio to such 25 per centum as the number of children of working mothers and single parents in the State, excluding those children in the State who are eligible for services funded under clauses (A) and (B) of paragraph (1) of this subsection, bears to the total number of children of working mothers and single parents in all the States, excluding those children in all the States who are eligible for services funded under clauses (A) and (B) of paragraph (1) of this subsection.

"(c) Not to exceed 5 per centum of the total funds allotted for use within a State pursuant to subsection (b)(2) may be made available for grants to the State to carry out the provisions of section 517 of this title.

"(d) The Secretary shall apportion the remainder of the amount allotted for use within each State (after making allocations under subsection (c)) among the localities in each such State so as to provide the following geographical distribution:

"(1) 50 per centum thereof so that the amount apportioned to each locality bears the same ratio to such 50 per centum as the number of economically disadvantaged children through age 14 in the area served by the locality bears to the number of economically disadvantaged children in the State;

"(2) 25 per centum thereof so that the amount apportioned to each locality bears the same ratio to such 25 per centum as the number of children through age 5 in the area served by the locality bears to the number of children through age 5 in the State;

"(3) 25 per centum thereof so that the amount apportioned to each locality bears the same ratio to such 25 per centum as the number of children of working mothers and single parents in the area served by the locality bears to the number of children of working mothers and single parents in the State.

"(e) The portion of any allotment or apportionment under subsection (b) or (d) for a fiscal year which the Secretary deter-

mines will not be required, for the period for which such allotment or apportionment is available, for carrying out programs under this part shall be available for reallocation or reapportionment from time to time, on such dates during such period as the Secretary shall fix, to other States in the case of allotments under subsection (b), or to other localities in the case of apportionments under subsection (d), in proportion to the original allotments to such States under subsection (b), or the original apportionments to such localities under subsection (d), for such year, but with such proportionate amount for any of such States or localities being reduced to the extent it exceeds the needs of such State or locality for carrying out activities approved under this part, and the total of such reductions shall be similarly reallocated among the States or reapportioned among the localities whose proportionate amounts are not so reduced. Any amount reallocated to a State or reapportioned to a locality under this subsection during a year shall be deemed part of its allotment or apportionment under subsection (b) or (d) for such year.

"(f) In determining the numbers of children for purposes of allotting and apportioning funds under this section, the Secretary shall use the most recent satisfactory data available to him.

"(g) As soon as practicable after funds are appropriated to carry out this title for any fiscal year, the Secretary shall publish in the Federal Register the allotments and apportionments required by this section.

#### "PART A—COMPREHENSIVE CHILD DEVELOPMENT PROGRAMS

##### "FINANCIAL ASSISTANCE

"Sec. 511. The Secretary of Health, Education, and Welfare shall provide financial assistance for carrying out child development programs under this part to prime sponsors and to other public and private agencies and organizations to plans and applications approved in accordance with the provisions of this part.

##### "USES OF FUNDS

"Sec. 512. Funds available for this part may be used (in accordance with approved applications) for the following services and activities:

"(1) planning and developing child development programs, including the operation of pilot programs to test the effectiveness of new concepts, programs, and delivery systems;

"(2) establishing, maintaining, and operating child development programs, which may include—

"(A) comprehensive physical and mental health, social, and cognitive development services necessary for children participating in the program to profit fully from their educational opportunities and to attain their maximum potential;

"(B) food and nutritional services (including family consultation);

"(C) rental, remodeling, renovation, alteration, construction, or acquisition of facilities, including mobile facilities, and the acquisition of necessary equipment and supplies;

"(D) programs designed (i) to meet the special needs of minority group, Indian, and migrant children with particular emphasis on the needs of children from bilingual families for the development of skills in English and the other language spoken in the home, and (ii) to meet the needs of all children to understand the history and cultural backgrounds of minority groups which belong to their communities and the role of members of such minority groups in the history and cultural development of the Nation and of the region in which they reside;

"(E) a program of daily activities designed to develop fully each child's potential;

"(F) other specially designed health, social, and educational programs (including after school, summer, weekend, vacation, and overnight programs);

"(G) medical, dental, psychological, educational, and other appropriate diagnosis, identification, and treatment of visual, hearing, speech, nutritional, and other physical, mental, and emotional barriers to full participation in child development programs, including programs for preschool and other children who are emotionally disturbed;

"(H) prenatal and other medical services to expectant mothers who cannot afford such services, designed to help reduce malnutrition, infant and maternal mortality, and the incidence of mental retardation and other handicapping conditions, and postpartum and other medical services (including family planning information) to such recent mothers;

"(I) incorporation within child development programs of special activities designed to identify and ameliorate identified physical, mental, and emotional handicaps and special learning disabilities and where necessary because of the severity of such handicaps, establishing, maintaining, and operating separate child development programs designed primarily to meet the needs of handicapped children, including emotionally disturbed children;

"(J) preservice and inservice education and other training for professional and paraprofessional personnel;

"(K) dissemination of information in the functional language of those to be served to assure that parents are well informed of child development programs available to them and may become directly involved in such programs;

"(L) services, including in-home services, and training in the fundamentals of child development, for parents, older family members functioning in the capacity of parents, youth, and prospective parents;

"(M) use of child advocates, consistent with the provisions of this title, to assist children and parents in securing full access to other services, programs, or activities intended for the benefit of children;

"(N) programs designed to extend comprehensive prekindergarten early childhood education techniques and gains (particularly parent participation) into kindergarten and early primary grades (one through three), in cooperation with local educational agencies, including the use of former assistant Headstart teachers or similar early childhood education teachers as instructional aides (in addition to those employed by the schools involved) working closely with classroom teachers in the kindergarten and such early primary grades in which are enrolled children they taught in Headstart or other early childhood education programs, providing for full participation of parents of the children involved in program planning, implementation, and decision-making and for career development opportunities and advancement through continuing education and training for the instructional aides involved (including teacher salaries, educational stipends for tuition, books, and tutoring, career counseling, arrangements for academic credit for independent study, fieldwork based on their teaching assignments, and preservice and inservice training) and for the classroom teachers and principals involved; and

"(O) such other services and activities as the Secretary deems appropriate in furtherance of the purposes of this part; and

"(3) staff and other administrative expenses of Child Development Councils established and operated in accordance with this part.

#### "PRIME SPONSOR OF CHILD DEVELOPMENT PROGRAMS

"Sec. 513. (a) In accordance with the provisions of this section, a State, locality, combination of localities, Indian tribal organi-

zation, or public or private nonprofit agency or organization, meeting the requirements of this part may be designated by the Secretary as a prime sponsor for the purpose of entering into arrangements to carry out child development programs under this part, upon the approval by the Secretary of a prime sponsorship plan which—

"(1) describes the prime sponsorship area to be served;

"(2) sets forth satisfactory provisions for establishing and maintaining a Child Development Council which meets the requirements of section 514;

"(3) provides that the Child Development Council shall be responsible for developing and preparing a comprehensive child development plan for each fiscal year and any modifications thereof;

"(4) sets forth arrangements under which the Child Development Council will be responsible for planning, supervising, coordinating, monitoring, and evaluating child development programs in the prime sponsorship area;

"(5) in the case of an applicant which is a State, a locality, or a combination of localities, provides for the operation of programs under this part through contracts with public or private agencies or organizations, including but not limited to community action agencies, single-purpose, Headstart agencies, community development corporations, parent cooperatives, organizations of Indians, employer and employee organizations, and local public and private educational agencies and institutions, which will serve children in a community or neighborhood or other area possessing a commonality of interest; and

"(6) provides assurances that, where available, the Council will provide itself, or by contract or other arrangement with State, local, or other public agencies or private nonprofit organizations—

"(A) child-related family, social, and rehabilitative services;

"(B) coordination with educational agencies and providers of educational services;

"(C) health (including family planning) and mental health services;

"(D) nutrition services; and

"(E) training of professional and paraprofessional personnel.

"(b) The Secretary shall approve a prime sponsorship plan submitted by a locality which has a population of 5,000 or more persons and is a (1) city, (2) county, or (3) other unit of general local government, if he determines that the plan so submitted meets the requirements of subsection (a) of this section and includes adequate provisions for carrying out comprehensive child development programs in the area of such locality. In the event that the area under the jurisdiction of a unit of general local government described in clause (1), (2), or (3) of the preceding sentence includes any common geographical area with that covered by another such unit of general local government, the Secretary shall designate to serve such area the unit of general local government which he determines has the capability of more effectively carrying out the purposes of this part with respect to such area and which has submitted a plan which meets the requirements of this section and includes adequate provisions for carrying out comprehensive child development programs in such area.

"(c) (1) In the event that the Secretary determines that a locality does not meet the requirements for designation as a prime sponsor under this section, he shall take steps to encourage the submission of a prime sponsorship plan, covering the area of such locality, by a combination of localities which are adjoining and possess a sufficient commonality of interest.

"(2) The Secretary shall approve a prime sponsorship plan submitted by a combina-

tion of localities, having a total population of 5,000 or more persons, if he determines that the plan so submitted meets the requirements of subsection (a) of this section and includes adequate provisions for carrying out comprehensive child development programs in the area covered by the combination of such localities.

"(d) The Secretary shall approve a prime sponsorship plan submitted by an Indian tribal organization if he determines that the plan so submitted meets the requirements of subsection (a) of this section and includes adequate provisions for carrying out comprehensive child development programs in the area to be served.

"(e) In the event that the Secretary determines, with respect to the area of a particular locality, that a prime sponsorship plan meeting the requirements of this section has not been submitted by a locality or combination of localities covering such area, or by an Indian tribal organization, or in the event that prime sponsorship designation has been disapproved or withdrawn in accordance with subsection (h) of this section, the Secretary may, with respect to the impending fiscal year when no such prime sponsorship designation will be in effect, approve a plan submitted by the State which meets the requirements of subsection (a) of this section and includes adequate provisions for carrying out comprehensive child development programs in such area.

"(f) The Secretary may approve a prime sponsorship plan submitted by a public or private nonprofit agency, including but not limited to a community action agency, single-purpose Headstart agency, community development corporation, parent cooperative, organization of migrant agricultural workers, organization of Indians, employer organization, labor union, employee or labor-management organization, or public or private educational agency or institution, if he determines that the plan so submitted meets the requirements of subsection (a) of this section and includes—

"(1) provisions setting forth arrangements for serving children in a neighborhood or other area possessing a commonality of interest in the area of any locality with respect to which there is no prime sponsorship designation in effect or with respect to any portion of an area where the prime sponsor is found not to be satisfactorily implementing child development programs which adequately met the purposes of this part, or for making available special services, in accordance with criteria established by the Secretary, designed to meet the needs of economically disadvantaged or preschool children or children of working mothers or single parents; or

"(2) arrangements for providing comprehensive child development programs on a year-round basis to children of migrant agricultural workers and their families; or

"(3) arrangements for carrying out model programs especially designed to be responsive to the needs of economically disadvantaged, minority group, or bilingual preschool children.

"(g) The Governor or appropriate State agency shall be given not less than thirty nor more than sixty days to review applications for designation filed by other than the State, offer recommendations to the applicant, and submit comments to the Secretary.

"(h) A prime sponsorship 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, (2) a reasonable time in which to submit corrective amendments to such plan or undertake other necessary corrective action, and (3) an opportunity for a public hearing upon which



basis an appeal to the Secretary may be taken as of right.

"(1) If any party is dissatisfied with the Secretary's final action under subsection (h) with respect to the disapproval of its plan submitted under this section or the withdrawal of its prime sponsorship designation, such party may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such party is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary. The Secretary thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

"(2) The findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Secretary to take further evidence. The Secretary may make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall be conclusive if supported by substantial evidence.

"(3) The court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

"(j) When a unit (or combination of units) of general government is maintaining a pattern and practice of exclusion of minorities, the Secretary shall give preference in the approval of applications for prime sponsorship to an alternative unit of government or to a public or private nonprofit agency or organization in the area representing the interests of minority and economically disadvantaged persons.

"(k) In the event that a State, a locality, a combination of localities, or an Indian tribal organization has not submitted a comprehensive child development plan under section 515 or the Secretary has not approved a plan so submitted, or where the Secretary has not designated or has withdrawn designation of prime sponsorship under section 513, or where the needs of migrants, pre-school-age children, or the children of working mothers or single parents, minority groups, or the economically disadvantaged are not being served, the Secretary may directly fund projects, including those in rural areas without regard to population, that he deems necessary in order to serve the children of the particular area.

#### "CHILD DEVELOPMENT COUNCILS

"Sec. 514. (a) Each prime sponsor designated under section 513 shall establish and maintain a Child Development Council composed of not less than 10 members as follows—

"(1) not less than half of the members of such Council shall be parents of children served in child development programs under this part; and

"(2) the remaining members shall be appointed by the chief executive officer or the governing body, whichever is appropriate, of the prime sponsor to represent the public, but (A) not less than half of such members shall be persons who are broadly representative of the general public, including government agencies, public and private agencies and organizations in such fields as economic opportunity, health, education, welfare, employment and training, business or financial organizations or institutions, labor unions, and employers, and (B) the remaining members, the number of which shall be either equal to or one less than the number of members appointed under clause (A), shall be persons who are particularly skilled by virtue of training or

experience in child development, child health, child welfare, or other child services, except that the Secretary may waive the requirement of this clause (B) to the extent that he determines, in accordance with regulations which he shall prescribe, that such persons are not available to the area to be served.

At least one-third of the total membership of the Child Development Council shall be parents who are economically disadvantaged. Each Council shall select its own chairman.

"(b) In accordance with procedures which the Secretary shall establish pursuant to regulations, each prime sponsor designated under section 513 shall provide, with respect to the Child Development Council established and maintained by such prime sponsor, that—

"(1) the parent members described in paragraph (1) of subsection (a) of this section shall be chosen by the membership of Headstart policy committees where they exist, and, at the earliest practicable time, by project policy committees established pursuant to section 516(a)(2) of this part;

"(2) the terms of office and any other policies and procedures of an organizational nature, including nomination and election procedures, are appropriate in accordance with the purposes of this part;

"(3) such Council shall have responsibility for approving basic goals, policies, actions, and procedures for the prime sponsor, including policies with respect to planning, general supervision and oversight, overall coordination, personnel, budgeting, funding of projects, and monitoring and evaluation of projects; and

"(4) such Council shall, upon its own initiative or upon request of a project applicant or any other party in interest, conduct public hearings before acting upon applications for financial assistance submitted by project applicants under this part.

#### "COMPREHENSIVE CHILD DEVELOPMENT PLANS

"Sec. 515. (a) Financial assistance under this part may be provided by the Secretary for any fiscal year to a prime sponsor designated pursuant to section 513 only pursuant to a comprehensive child development plan which is submitted by such prime sponsor and approved by the Secretary in accordance with the provisions of this part. Any such plan shall set forth a comprehensive program for providing child development services in the prime sponsorship area which—

"(1) identifies all child development needs and goals within the area and describes the purposes for which the financial assistance will be used;

"(2) meets the needs of children in the prime sponsorship area, to the extent that available funds can be reasonably expected to have an effective impact, including infant care and before and after school programs for children in school with priority to children who have not attained six years of age;

"(3) (A) provides that funds received under section 503(a)(1) will be used for child development programs and services focused upon young children from low-income families, giving priority to continued financial assistance for Headstart projects by reserving for such projects from such funds in any fiscal year an amount at least equal to the aggregate amount received by public or private agencies and organizations within the prime sponsorship area for programs during the fiscal year ending June 30, 1972, under section 222(a)(1) of the Economic Opportunity Act of 1964, and (B) provides that programs receiving funds under section 503(d) will give priority to providing services for economically disadvantaged children by reserving not less than 65 per centum of the cost of programs receiving such funds for the purpose of serving children of families having an annual income below the lower

living standard budget as determined under paragraph (5) of section 571;

"(4) gives priority thereafter to providing child development programs and services to children of single parents and working mothers not covered under paragraph (3);

"(5) provides procedures for the approval of project applications submitted in accordance with section 516;

"(6) provides, in the case of a prime sponsor located within or adjacent to a metropolitan area, for coordination with other prime sponsors located within such metropolitan area, and arrangements for cooperative funding where appropriate, and particularly for such coordination where appropriate to the needs for child development services of children of parents working or participating in training or otherwise occupied during the day within a prime sponsorship area other than that in which they reside;

"(7) provides that, to the extent feasible, each program within the prime sponsorship area will include children from a range of socioeconomic backgrounds;

"(8) provides comprehensive services (A) to meet the special needs of minority group children and children of migrant agricultural workers with particular emphasis on the needs of children from bilingual families for development of skills in English and in the other language spoken in the home, and (B) to meet the needs of all children to understand the history and cultural background of minority groups which belong to the communities and the role of members of such minority groups in the history and cultural development of the Nation and the region in which they reside;

"(9) provides equitably for the child development needs of children from each minority group or significant segment of the economically disadvantaged residing within the area served;

"(10) provides, insofar as possible, for coordination of child development programs with other social programs (including but not limited to those relating to employment and manpower) so as to keep family units intact or in close proximity during the day;

"(11) provides for direct parent participation in the conduct, overall direction, and evaluation of programs;

"(12) provides to the extent feasible for the employment as both professionals and paraprofessionals of persons resident in the neighborhoods from which children are drawn;

"(13) includes to the extent feasible a career development plan for paraprofessional and professional training, education, and advancement on a career ladder;

"(14) provides that, insofar as possible, persons residing in communities being served by such projects will receive jobs, including in-home and part-time jobs, and opportunities for training in programs under part B of this title, with special consideration for career opportunities for low-income persons;

"(15) provides for the regular and frequent dissemination of information in the functional language of those to be served, to assure that parents and interested persons in the community are fully informed of the activities of the Child Development Council and of delegate agencies;

"(16) assures that procedures and mechanisms for coordination have been developed in cooperation with preschool program administrators and administrators of local educational agencies and nonpublic schools, at the local level, to provide continuity between programs for preschool and elementary school children and to coordinate programs conducted under this part and programs conducted pursuant to section 222(a)(2) of the Economic Opportunity Act of 1964 and the Elementary and Secondary Education Act of 1965;

"(17) establishes arrangements in the area served for the coordination of programs conducted under the auspices of or with the support of business or financial institutions or organizations, industry, labor, employee and labor-management organizations, and other community groups;

"(18) sets forth provisions describing any arrangements for the delegation, under the supervision of the Child Development Council, to public or private agencies, institutions, or organizations, of responsibilities for the delivery of programs, services, and activities for which financial assistance is provided under this part or for planning or evaluation services to be made available with respect to programs under this part;

"(19) contains plans for regularly conducting surveys and analyses of needs for child development programs in the prime sponsorship area and for submitting to the Secretary a comprehensive annual report and evaluation in such form and containing such information as the Secretary shall require by regulation;

"(20) provides that services for handicapped children, at both the State and local levels, will be used wherever available in programs approved under the plan;

"(20) provides assurances satisfactory to the Secretary that the non-Federal share requirements will be met;

"(22) provides for such fiscal control and funding accounting procedures as the Secretary may prescribe to assure proper disbursement of and accounting for Federal funds paid to the prime sponsor;

"(23) provides that consideration will be given to project applications submitted by public, private nonprofit, and profitmaking organizations with emphasis given to ongoing programs, and that comparative costs of providing services shall be considered along with the quality of such services;

"(24) provides that programs or services under this title shall be provided only for children whose parents or legal guardians have requested them; and

"(25) provides assurance that in developing plans for any facilities due consideration will be given to excellence of architecture and design, and to the inclusion of works of art (not representing more than one per centum of the cost of the project).

"(b) No comprehensive child development plan or modification thereof submitted by a prime sponsor under this section shall be approved by the Secretary unless he determines, in accordance with regulations which the Secretary shall prescribe, that—

"(1) each community action agency or single-purpose Headstart agency in the area to be served previously responsible for the administration of programs under this part or under section 222(a)(1) of the Economic Opportunity Act of 1964 has had an opportunity to submit comments to the prime sponsor and to the Secretary;

"(2) the local educational agency for the area to be served and other appropriate educational and training agencies and institutions have had an opportunity to submit comments to the prime sponsor and to the Secretary; and

"(3) the Governor of the State has had an opportunity to submit comments to the prime sponsor and to the Secretary.

"(c) A comprehensive child development plan submitted under this section may be disapproved or a prior approval 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, (2) a reasonable time to submit corrective amendments to such plan or undertake other necessary corrective action, and (3) an opportunity for a public hearing upon which basis an appeal to the Secretary may be taken as of right.

"(d) In order to contribute to the effective

administration of this title, the Secretary shall establish appropriate procedures to permit prime sponsors to submit jointly a single comprehensive child development plan for the areas served by such prime sponsors.

#### "PROJECT APPLICATIONS

"SEC. 516. (a) Financial assistance under this part may be provided to a project applicant for any fiscal year only pursuant to a project application which is submitted by a public or private agency and which provides—

"(1) that funds will be provided for carrying out any child development program under this part only to a qualified public or private agency or organization, including but not limited to a community action agency, single-purpose Headstart agency, community development corporation, parent cooperative, organization of migrant agricultural workers, organization of Indians, private organization interested in child development, employer or business organization, labor union, employee or labor-management organization, or public or private educational agency or institution;

"(2) for establishing and maintaining project policy committees composed of not less than 10 members as follows—

"(A) not less than half of the members of each such committee shall be parents of children served by such project, and

"(B) the remaining members of each such committee shall consist of (i) persons who are representative of the community and who are approved by the parent members, and (ii) at least one person who is particularly skilled by virtue of training or experience in child development, child health, child welfare, or other child services, except that the Secretary may waive the requirement of this clause (ii) where he determines, in accordance with regulations which he shall prescribe, that such person is not available to the area to be served;

"(3) for direct participation of such policy committees in the development and preparation of project applications under this part;

"(4) that adequate provision will be made for training and other administrative expenses of such policy committees (including necessary expenses to enable low-income members to participate in council or committee meetings);

"(5) that project policy committees shall have responsibility for approving basic goals, policies, actions, and procedures for the project applicant, including policies with respect to planning, overall conduct, personnel, budgeting, location of centers and facilities and direction and evaluation of projects;

"(6) that programs assisted under this part will provide for such comprehensive health, nutritional, education, social, and other services, as are necessary for the full cognitive, emotional, and physical development of each participating child;

"(7) that adequate provision will be made for the regular and frequent dissemination of information in the functional language of those to be served, to assure that parents and interested persons are fully informed of project activities;

"(8) that with respect to child development services provided by programs assisted under this part—

"(A) no charge will be made with respect to any child who is a member of any family with an annual income equal to or less than \$4,320 with appropriate adjustments in the case of families having more than two children, except to the extent that payment will be made by a third party (including a public agency); and

"(B) such charges as the Secretary may provide will be made with respect to any child of any other family, in accordance with an appropriate fee schedule established by him, based upon the ability of the family

to pay, which payment may be made in whole or in part by a third party in behalf of such family, except that any such charges with respect to any family with an income of less than the lower living standard budget (as determined in accordance with paragraph (5) of section 571) shall not exceed the sum of (i) an amount equal to 10 per centum of any family income which exceeds the highest income level at which no charges would be made with respect to children of such family under subparagraph (A) but does not exceed 85 per centum of such lower living standard budget, and (ii) an amount equal to 15 per centum of any family income which exceeds 85 per centum of such lower living standard budget but does not exceed 100 per centum of such lower living standard budget, and, if more than two children from the same family are participating, additional charges may be made not to exceed the sum of the amounts calculated in accordance with clauses (i) and (ii) with respect to each such additional child;

"(9) that children will in no case be excluded from the programs operated pursuant to this part because of their participation in nonpublic preschool or school programs or because of the intention of their parents to enroll them in nonpublic schools when they attain school age;

"(10) that programs will, to the extent appropriate, employ paraprofessional aides and volunteers, especially parents, older children, students, older persons, and persons preparing for careers in child development programs;

"(11) that no person will be denied employment in any program solely on the ground that he fails to meet State or local teacher certification standards;

"(12) that programs assisted under this part will provide for the utilization of personnel, including paraprofessional and volunteer personnel, adequate to meet the specialized needs of each participating child;

"(13) that there are assurances satisfactory to the Secretary that the non-Federal share requirements will be met; and

"(14) that provision will be made for such fiscal control and fund accounting procedures as the Secretary shall prescribe to assure proper disbursement of and accounting for Federal funds.

"(b) A project application may be approved by a prime sponsor upon its determination that such application meets the requirements of this section and that the programs provided for therein will otherwise further the objectives and satisfy the appropriate provisions of the prime sponsor's comprehensive child development plan as approved pursuant to section 515.

"(c) A project application from a public or private nonprofit agency which is also a prime sponsor under section 513(f) shall be submitted directly to the Secretary, together with the comprehensive child development plan.

"(d) A project application submitted directly to the Secretary by a public or private agency may be approved by the Secretary upon his determination that it meets the requirements of subsection (a) of this section.

#### "SPECIAL GRANTS TO STATES

"SEC. 517. Upon application submitted by any State, the Secretary is authorized to provide financial assistance for use by such State for carrying out activities for the purposes of—

"(1) identifying child development goals and needs within the State;

"(2) assisting in the establishment of Child Development Councils and strengthening the capability of such Councils to effectively plan, supervise, coordinate, monitor, and evaluate child development programs;

"(3) encouraging the cooperation and participation of State agencies in providing child development and related services, including



health, family planning, mental health, education, nutrition, and family, social and rehabilitative services where requested by appropriate prime sponsors in the development and implementation of comprehensive child development plans;

"(4) encouraging the full utilization of resources and facilities for child development programs within the State;

"(5) disseminating the results of research on child development programs;

"(6) conducting programs for the exchange of personnel involved in child development programs within the State;

"(7) assisting public and private nonprofit agencies and organizations in the acquisition or improvement of facilities for child development programs;

"(8) assessing State and local licensing codes as they relate to child development programs within the State; and

"(9) developing information useful in reviewing prime sponsorship plans under section 513(g) and comprehensive child development plans under section 515(b) (3).

#### "ADDITIONAL CONDITIONS FOR PROGRAMS INCLUDING CONSTRUCTION

"Sec. 518. (a) Applications for financial assistance for projects including construction may be approved only if the Secretary determines that construction of such facilities is essential to the provision of adequate child development services, and that rental, renovation, remodeling, or leasing of adequate facilities is not practicable.

"(b) If any facility assisted under this part shall cease to be used for the purposes for which it was constructed, the United States shall be entitled to recover from the applicant or other owner of the facility an amount which bears to the then value of the facility (or so much thereof as constituted an approved project) the same ratio as the amount of such Federal funds bore to the cost of the facility financed with the aid of such funds, unless the Secretary determines in accordance with regulations that there is good cause for releasing the applicant or other owner from the obligation to do so. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated.

"(c) All laborers and mechanics employed by contractors or subcontractors on all construction, remodeling, renovation, or alteration projects assisted under this part shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

"(d) In the case of loans for construction, the Secretary shall prescribe the interest rate and the period within which such loan shall be repaid, but such interest rates shall not be less than 3 per centum per annum and the period within which such loan is to be repaid shall not be more than twenty-five years.

"(e) The Federal assistance for construction may be in the form of grants or loans, provided that total Federal funds to be paid to other than public or private nonprofit agencies and organizations will not exceed 50 per centum of the construction cost, and will be in the form of loans. Repayment of loans shall, to the extent required by the Secretary, be returned to the prime sponsor from whose financial assistance the loan was made, or used for additional loans or grants under this title. Not more than 15 per centum of the total financial assistance provided to a prime sponsor under this part shall

be used for construction of facilities, with no more than 7½ per centum of such assistance usable for grants for construction.

"(f) In the case of a project for the construction of facilities and in the development of plans for such facilities due consideration shall be given to excellence of architecture and design and to the inclusion of works of art (not representing more than 1 per centum of the cost of the project).

#### "USE OF PUBLIC FACILITIES FOR CHILD DEVELOPMENT PROGRAMS

"Sec. 519. (a) The Secretary, after consultation with other appropriate officials of the Federal Government, shall within sixteen months after enactment of this title report to the Congress with respect to the extent to which facilities owned or leased by Federal departments, agencies, and independent authorities could be made available to public and private nonprofit agencies and organizations, through appropriate arrangements, for use as facilities for child development programs under this title during times and periods when not utilized fully for their usual purposes, together with his recommendations (including recommendations for changes in legislation) or proposed actions for such use.

"(b) The Secretary may require, as a condition to the receipt of assistance under this part, that any prime sponsor under this part agree to conduct a review and provide the Secretary with a report as to the extent to which facilities owned or leased by such prime sponsor, or by other agencies in the prime sponsorship area, could be made available, through appropriate arrangements, for use as facilities for child development programs under this title during times and periods when not utilized fully for their usual purposes, together with the prime sponsor's proposed actions for such use.

#### "PAYMENTS

"Sec. 520. (a) In accordance with this section, the Secretary shall pay from the applicable allocation or apportionment under section 503 the Federal share of the costs of programs, services, and activities, in accordance with plans or applications which have been approved as provided in this part. In making such payment to any prime sponsor, the Secretary shall include in such costs an amount for staff and other administrative expenses for the Child Development Council not to exceed an amount which is reasonable when compared with such costs for other prime sponsors.

"(b) (1) Except as provided in paragraphs (2) and (3) of this subsection, the Secretary shall pay an amount not in excess of 80 per centum of the cost of carrying out programs, services, and activities under this part. The Secretary may, in accordance with such regulations as he shall prescribe, approve assistance in excess of such percentage if he determines that such action is required to provide adequately for the child development needs of economically disadvantaged children.

"(2) The Secretary shall pay an amount equal to 100 per centum of the costs of providing child development programs for children of migrant agricultural workers and their families under this part.

"(3) The Secretary shall pay to each prime sponsor approved under section 513(d) an amount equal to 100 per centum of the costs of providing child development programs for children in Indian tribal organizations.

"(c) The non-Federal share of the costs of programs assisted under this part may be provided through public or private funds and may be in the form of cash, goods, services, or facilities (or portions thereof that are used for program purposes), reasonably evaluated, or union or employer contributions. Fees collected for services provided pursuant to section 516(a) (8) shall not be used to make up the non-Federal share, but

shall be used by the project applicant for the same purposes as payments under this section, except that, in the case of projects assisted under a comprehensive child development plan, such fees shall be turned over to the appropriate prime sponsor for distribution in the same manner as the prime sponsor's allocation under section 515(a) (3).

"(d) If, with respect to any fiscal year, a prime sponsor or project applicant provides non-Federal contributions for any program, service, or activity exceeding its requirements, such excess may be applied toward meeting the requirements for such contributions for the subsequent fiscal year under this part.

"(e) No State or locality shall reduce its expenditures for child development or day-care programs by reason of assistance under this part.

#### "PART B—TRAINING, TECHNICAL ASSISTANCE, PLANNING, AND EVALUATION

##### "PRESERVICE AND INSERVICE TRAINING

"Sec. 531. The Secretary is authorized to make payments to provide financial assistance to enable individuals employed or preparing for employment in child development programs assisted under this title, including volunteers, to participate in programs of preservice or inservice training for professional and nonprofessional personnel, to be conducted by any agency carrying out a child development program, or any institution of higher education, including a community college, or by any combination thereof.

##### "TECHNICAL ASSISTANCE AND PLANNING

"Sec. 532. The Secretary shall, directly or through grant or contract, make technical assistance available to prime sponsors and to project applicants participating or seeking to participate in programs assisted under this title on a continuing basis to assist them in planning, developing, and carrying out child development programs.

##### "EVALUATION

"Sec. 533. (a) The Secretary shall, through the Office of Child Development unless the Secretary determines otherwise, make an evaluation of Federal involvement in child development activities and services, which shall include—

"(1) enumeration and description of all Federal activities which affect child development;

"(2) analysis of expenditures of Federal funds for such activities and services;

"(3) determination of the effectiveness of such activities and services;

"(4) the extent to which preschool, minority group, and economically disadvantaged children and their parents have participated in programs under this title; and

"(5) such recommendations to the Congress as the Secretary may deem appropriate.

"(b) The results of the evaluation required by subsection (a) of this section shall be reported to the Congress not later than eighteen months after the date of enactment of this title.

"(c) The Secretary shall establish such procedures as may be necessary to conduct an annual evaluation of Federal involvement in child development programs, and shall report the results of each such evaluation to Congress.

"(d) Prime sponsors and project applicants assisted under this title and departments and agencies of the Federal Government shall, upon request by the Secretary, make available, consistent with other provisions of law, such information as the Secretary determines is necessary for purposes of making the evaluation required under subsection (c) of this section.

"(e) The Secretary may enter into contracts with public or private agencies, organizations, or individuals to carry out the provisions of this section.

"(f) The Secretary shall reserve for the purposes of this section not less than 1 per centum, and may reserve for such purposes not more than 2 per centum, of the amounts available under paragraphs (2) and (3) of section 503(a) of this title for any fiscal year.

**"FEDERAL STANDARDS FOR CHILD DEVELOPMENT SERVICES**

"SEC. 534. (a) Within six months after the enactment of the Economic Opportunity Amendments of 1971, the Secretary shall, after consultation with other Federal agencies and with the Committee established pursuant to subsection (c) of this section, promulgate a common set of program standards which shall be applicable to all programs providing child development services with Federal assistance under this title, to be known as the Federal Standards for Child Development Services. If the Secretary disapproves the Committee's recommendations, he shall state the reasons therefor.

"(b) Such standards shall be no less comprehensive than the Federal Interagency Day Care Requirements as approved by the Department of Health, Education, and Welfare, the Office of Economic Opportunity, and the Department of Labor on September 23, 1968.

"(c) The Secretary shall, within sixty days after enactment of this title, appoint a Special Committee on Federal Standards for Child Development Services, which shall include parents of children enrolled in child development programs, representatives of public and private agencies and organizations administering child development programs, specialists, and others interested in the development of children. Not less than one-half of the membership of the Committee shall consist of parents of children participating in programs conducted under part A of this title and section 222(a)(1) of this Act and title IV of the Social Security Act. Such Committee shall participate in the development of Federal Standards for Child Development Services and modifications thereof as provided in subsection (a).

**"DEVELOPMENT OF UNIFORM MINIMUM CODE FOR FACILITIES**

"SEC. 535. (a) The Secretary shall, within sixty days after enactment of the Economic Opportunity Amendments of 1971, appoint a special committee to develop a uniform minimum code for facilities, to be used in licensing child development facilities. Such standards shall deal principally with those matters essential to the health, safety, and physical comfort of the children and the relationship of such matters to the Federal Standards for Child Development Services under section 534.

"(b) The special committee appointed under this section shall include parents of children participating in child development programs and representatives of State and local licensing agencies, public health officials, fire prevention officials, the construction industry and unions, public and private agencies or organizations administering child development programs, and national agencies or organizations interested in the development of children. Not less than one-half of the membership of the committee shall consist of parents of children enrolled in programs conducted under part A of this title and section 222(a)(1) of this Act and title IV of the Social Security Act.

"(c) Within one year after its appointment, the special committee shall complete a proposed uniform minimum code for facilities and shall hold public hearings on the proposed code prior to submitting its final recommendation to the Secretary for his approval.

"(d) After considering the recommendations submitted by the special committee in accordance with subsection (c), the Secretary shall promulgate standards which shall be applicable to all facilities receiving

Federal financial assistance under this title or in which programs receiving Federal financial assistance under this title are operated. If the Secretary disapproves the committee's recommendations, he shall state the reasons therefor. The Secretary shall also distribute such standards and urge their adoption by States and local governments. The Secretary may from time to time modify the uniform code for facilities in accordance with procedures set forth in this section.

**"PART C—FACILITIES FOR CHILD DEVELOPMENT PROGRAMS**

**"MORTGAGE INSURANCE FOR CHILD DEVELOPMENT FACILITIES**

"SEC. 541. (a) It is the purpose of this part to assist and encourage the provision of urgently needed facilities for child care and child development programs.

"(b) For the purpose of this part—

"(1) The term 'child development facility' means a facility of a public or private profit or nonprofit agency or organization, licensed or regulated by the State (or, if there is no State law providing for such licensing and regulation by the State, by the municipality or other political subdivision in which the facility is located), for the provision of child development programs.

"(2) The terms 'mortgage', 'mortgagor', 'mortgagee', 'maturity date', and 'State' shall have the meanings respectively set forth in section 207 of the National Housing Act.

"(c) The Secretary of Health, Education, and Welfare is authorized to insure any mortgage (including advances on such mortgage during construction) in accordance with the provisions of this section upon such terms and conditions as he may prescribe and make commitments for insurance of such mortgage prior to the date of its execution or disbursement thereon.

"(d) In order to carry out the purpose of this section, the Secretary of Health, Education, and Welfare is authorized to insure any mortgage which covers a new child development facility, including equipment to be used in its operation, subject to the following conditions:

"(1) The mortgage shall be executed by a mortgagor, approved by the Secretary of Health, Education, and Welfare, who demonstrate ability successfully to operate one or more child care or child development programs. The Secretary of Health, Education, and Welfare may in his discretion require any such mortgagor to be regulated or restricted as to minimum charges and methods of financing, and in addition thereto, if the mortgagor is a corporate entity, as to capital structure and rate of return. As an aid to the regulation or restriction of any mortgagor with respect to any of the foregoing matters, the Secretary of Health, Education, and Welfare may make such contracts with and acquire for not to exceed \$100 such stock or interest in such mortgagor as he may deem necessary. Any stock or interest so purchased shall be paid for out of the Child Development Facility Insurance Fund, and shall be redeemed by the mortgagor at par upon the termination of all obligations of the Secretary of Health, Education, and Welfare under the insurance.

"(2) The mortgage shall involve a principal obligation in an amount not to exceed \$250,000 and not to exceed 90 per centum of the estimated replacement cost of the property or project, including equipment to be used in the operation of the child development facility, when the proposed improvements are completed and the equipment is installed.

"(3) The mortgage shall—

"(A) provide for complete amortization by periodic payments within such term as the Secretary of Health, Education, and Welfare shall prescribe, and

"(B) bear interest (exclusive of premium charges for insurance and service charges, if any) at not to exceed such per centum per annum on the principal obligation outstanding at any time as the Secretary of Health, Education, and Welfare finds necessary to meet the mortgage market.

"(4) The Secretary of Health, Education, and Welfare shall not insure any mortgage under this section unless he has determined that the child development facility to be covered by the mortgage will be in compliance with the Uniform Minimum Code for Facilities approved by the Secretary pursuant to section 535.

"(5) The Secretary of Health, Education, and Welfare shall not insure any mortgage under this section unless he has also received from the prime sponsor designated under part A of this title a certificate that the facility is consistent with and will not hinder the execution of the prime sponsor's plan.

"(6) In the plans for such child development facility, due consideration shall be given to excellence of architecture and design, and to the inclusion of works of art (not representing more than 1 per centum of the cost of the project).

"(e) The Secretary of Health, Education, and Welfare shall fix and collect premium charges for the insurance of mortgages under this section which shall be payable annually in advance by the mortgagee, either in cash or in debentures of the Child Development Facility Insurance Fund (established by subsection (h)) issued at par plus accrued interest. In the case of any mortgage such charge shall be not less than an amount equivalent to one-fourth of 1 per centum per annum nor more than an amount equivalent to 1 per centum per annum of the amount of the principal obligation of the mortgage outstanding at any one time, without taking into account delinquent payments or prepayments. In addition to the premium charge herein provided for, the Secretary of Health, Education, and Welfare is authorized to charge and collect such amounts as he may deem reasonable for the appraisal of a property or project during construction; but such charges for appraisal and inspection shall not aggregate more than 1 per centum of the original principal face amount of the mortgage.

"(f) The Secretary of Health, Education, and Welfare may consent to the release of a part or parts of the mortgaged property or project from the lien of any mortgage insured under this section upon such terms and conditions as he may prescribe.

"(g) (1) The Secretary of Health, Education, and Welfare shall have the same functions, powers, and duties (insofar as applicable) with respect to the insurance of mortgages under this section as the Secretary of Housing and Urban Development has with respect to the insurance of mortgages under title II of the National Housing Act.

"(2) The provisions of subsections (e), (g), (h), (i), (j), (k), (l), and (n) of section 207 of the National Housing Act shall apply to mortgages insured under this section; except that, for the purposes of their application with respect to such mortgages, all references in such provisions to the General Insurance Fund shall be deemed to refer to the Child Development Facility Insurance Fund, and all references in such provisions to 'Secretary' shall be deemed to refer to the Secretary of Health, Education, and Welfare.

"(h) (1) There is hereby created a Child Development Facility Insurance Fund which shall be used by the Secretary of Health, Education, and Welfare as a revolving fund for carrying out all the insurance provisions of this section. All mortgages insured under this section shall be insured under and be the obligation of the Child Development Facility Insurance Fund.

"(2) The general expenses of the opera-



tions of the Department of Health, Education, and Welfare relating to mortgages insured under this section may be charged to the Child Development Facility Insurance Fund.

"(3) Moneys in the Child Development Facility Insurance Fund not needed for the current operations of the Department of Health, Education, and Welfare with respect to mortgages insured under this section shall be deposited with the Treasurer of the United States to the credit of such fund, or invested in bonds or other obligations of, or in bonds or other obligations guaranteed as to principal and interest by, the United States. The Secretary of Health, Education, and Welfare may, with the approval of the Secretary of the Treasury, purchase in the open market debentures issued as obligations of the Child Development Facility Insurance Fund. Such purchase shall be made at a price which will provide an investment yield of not less than the yield obtainable from other investments authorized by this section. Debentures so purchased shall be canceled and not reissued.

"(4) Premium charges, adjusted premium charges, and appraisal and other fees received on account of the insurance of any mortgage under this section, the receipts derived from property covered by such mortgages and from any claims, debts, contracts, property, and security assigned to the Secretary of Health, Education, and Welfare in connection therewith, and all earnings as the assets of the fund, shall be credited to the Child Development Facility Insurance Fund. The principal of, and interest paid and to be paid on, debentures which are the obligation of such fund, cash insurance payments and adjustments, and expenses incurred in the handling, management, renovation, and disposal of properties acquired, in connection with mortgages insured under this section, shall be charged to such fund.

"(5) There are authorized to be appropriated to provide initial capital for the Child Development Facility Insurance Fund, and to assure the soundness of such fund thereafter, such sums as may be necessary.

#### "PART D—FEDERAL GOVERNMENT CHILD DEVELOPMENT PROGRAMS

##### "PROGRAM AUTHORIZED

"SEC. 546. (a) The Secretary is authorized to make grants for the purpose of establishing and operating child development programs (including the lease, rental, or construction of necessary facilities and the acquisition of necessary equipment and supplies) for the children of employees of the Federal Government.

"(b) Employees of any Federal agency or group of such agencies employing eighty or more working parents of young children who desire to participate in the grant program under this part shall—

"(1) designate or create for the purpose an agency commission, the membership of which shall be broadly representative of the working parents employed by the agency or agencies; and

"(2) submit to the Secretary a plan approved by the official in charge of such agency or agencies, which—

"(A) provides that the child development program shall be administered under the direction of the agency commission;

"(B) provides that the program will meet the Federal interagency standards for child development;

"(C) provides a means of determining priority of eligibility among parents wishing to use the services of the program;

"(D) provides for a scale of fees based upon the parents' financial status; and

"(E) provides for competent management, staffing, and facilities for such program.

"(c) The Secretary shall not make payments under this section unless he has received approval of the plan from the official

in charge of the agency whose employees will be served by the child development program.

##### "PAYMENTS

"SEC. 547. (a) Not more than 80 per centum of the total cost of child development programs under this part shall be paid from Federal funds available under this title.

"(b) The share of the total cost not available under paragraph (a) may be provided through public or private funds and may be in the form of cash, goods, services, or facilities (or portions thereof that are used for program purposes), reasonably evaluated, fees collected from parents, or union or employer contributions.

"(c) If, in any fiscal year, a program under this part provides non-Federal contributions exceeding its requirements under this section, such excess may be used to meet the requirements for such contributions for the succeeding fiscal year.

"(d) In making grants under this part, the Secretary shall, insofar as is feasible, distribute funds among the States according to the same ratio as the number of Federal employees in that State bears to the total number of Federal employees in the United States.

#### "PART E—RESEARCH AND DEMONSTRATION

##### "DECLARATION OF PURPOSES

"SEC. 551. The purposes of this part are to focus national research efforts to attain a fuller understanding of the processes of child development and the effects of organized programs upon these processes; to develop effective programs for research into child development; and to assure that the result of research and development efforts are reflected in the conduct of programs affecting children through the improvement and expansion of child development and related programs.

##### "RESEARCH AND DEMONSTRATION PROJECTS

"SEC. 552. (a) In order to further the purposes of this part, the Secretary shall carry out a program of research and demonstration projects, which shall include but not be limited to—

"(1) research to determine the nature of child development processes and the impact of various influences upon them, to develop techniques to measure and evaluate child development, to develop standards to evaluate professional and paraprofessional child development personnel, and to determine how child development and related programs conducted in either home or institutional settings affect child development processes;

"(2) research to test alternative methods of providing child development and related services, and to develop and test innovative approaches to achieve maximum development of children and programs for training adolescent youth in child development;

"(3) evaluation of research findings and the development of these findings and the effective application thereof;

"(4) dissemination and application of research and development efforts and demonstration projects to child development and related programs and early childhood education, using regional demonstration centers and advisory services where feasible;

"(5) production of informational systems and other resources necessary to support the activities authorized by this part; and

"(6) integration of national child development research efforts into a focused national research program, including the coordination of research and development conducted by other agencies, organizations, and individuals.

"(b) In order to carry out the program provided for in subsection (a), the Secretary is authorized to make grants to or enter into contracts or other arrangements with public or private nonprofit agencies (including other Government agencies), organizations, and institutions, and to enter into contracts with

private agencies, organizations, institutions, and individuals.

##### "COORDINATION OF RESEARCH

"SEC. 553. (a) Funds available to any Federal department or agency for the purposes stated in section 551 or the activities stated in section 552(a) shall be available for transfer, with the approval of the head of the department or agency involved, in whole or in part, to the Secretary for such use as is consistent with the purposes for which such funds were provided, and the funds so transferred shall be expendable by the Secretary for the purposes for which the transfer was made.

"(b) The Secretary shall coordinate, through the Office of Child Development, established under section 572 of this title, all child development research, training, and development efforts conducted within the Department of Health, Education, and Welfare and, to the extent feasible, by other agencies, organizations, and individuals.

"(c) A Child Development Research Council, consisting of a representative of the Office of Child Development established under section 572 of this title (who shall serve as chairman), and representatives from the Federal agencies administering the Social Security Act and the Elementary and Secondary Education Act of 1965 and from the National Institute of Mental Health, the National Institute of Child Health and Human Development, the Office of Economic Opportunity, the Department of Labor, and other appropriate agencies, shall meet at least annually and at such more frequent times as they may deem necessary, in order to assure coordination of child development and related activities under their respective jurisdictions and to carry out the provisions of this part so as to assure—

"(1) maximum utilization of available resources through the prevention of duplication of activities;

"(2) a division of labor, insofar as is compatible with the purposes of each of the agencies or authorities specified in this paragraph, to assure maximum progress toward the achievement of the purposes of this part; and

"(3) recommendation of priorities for federally funded research and development activities related to the purposes of this part and those stated in section 501.

##### "ANNUAL REPORT

"SEC. 554. The Secretary shall make an annual report to Congress summarizing his activities and accomplishments during the preceding year under this part; the grants, contracts, or other arrangements entered into during the preceding year under this part, and making such recommendations as he may deem appropriate.

#### "PART F—GENERAL PROVISIONS

##### "DEFINITIONS

"SEC. 571. As used in this title, the term—

"(1) 'Secretary' means the Secretary of Health, Education, and Welfare;

"(2) 'State' means the several States and the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands;

"(3) 'child development programs' means programs provided on a full-day or part-day basis which provide the educational, nutritional, social, medical, psychological, and physical services needed for children to attain their full potential;

"(4) 'children' means individuals who have not attained the age of fifteen;

"(5) 'economically disadvantaged children' means any children of a family having an annual income below the lower living standard budget (adjusted for regional and metropolitan, urban, and rural differences, and family size), as determined annually by the Bureau of Labor Statistics of the Department of Labor;

"(6) 'handicapped children' includes mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children or children with specific learning disabilities who by reason thereof require special education and related services;

"(7) 'program' includes any program, service, or activity, which is conducted full or part time, day or night, in child development facilities, in schools, in neighborhood centers, or in homes, or which provides child development services for children whose parents are working or receiving education or training;

"(8) 'locality' means any city or other municipality or any county or other political subdivision of a State having general governmental powers, or any combination thereof;

"(9) 'parent' means any person who has day-to-day parental responsibility for any child;

"(10) 'single parent' means any person who has sole day-to-day responsibility for any child;

"(11) 'working mother' means any mother who requires child development services under this title in order to undertake or continue full- or part-time work, training, or education outside her home;

"(12) 'minority group' includes, but is not limited to, persons who are Negro, American Indian, Spanish-surnamed American, Portuguese, or Oriental, and, as determined by the Secretary, children who are from environments in which a dominant language is other than English and who, as a result of language barriers, do not have an equal educational opportunity, and, for the purpose of this paragraph, Spanish-surnamed Americans include persons of Mexican, Puerto Rican, Cuban, or Spanish origin or ancestry;

"(13) 'bilingual' includes, but is not limited to, persons who are Spanish surnamed, American Indian, Oriental, Portuguese, or others who have learned during childhood to speak the language of the minority group of which they are members and who, as a result of language barriers, do not have an equal educational opportunity;

"(14) 'local educational agency' means any such agency as defined in section 801(f) of the Elementary and Secondary Education Act of 1965;

"(15) 'institution of higher education' means any such institution as defined in section 1201(a) of the Higher Education Act of 1965.

#### "OFFICE OF CHILD DEVELOPMENT

"Sec. 572. The Secretary shall take all necessary action to coordinate child development programs under his jurisdiction. To this end, he shall establish within the Department of Health, Education, and Welfare an Office of Child Development, administered by a Director, which shall be the principal agency of the Department for the administration of this title and for the coordination of programs and other activities relating to child development.

#### "NUTRITION SERVICES

"Sec. 573. In accordance with the purposes of this title, the Secretary of Health, Education, and Welfare shall establish procedures to assure that adequate nutrition services will be provided in child development programs under this title. Such services shall make use of the special food service program for children as defined under section 13 of the National School Lunch Act of 1946 and the Child Nutrition Act of 1966, to the fullest extent appropriate and consistent with the provisions of such Acts.

#### "SPECIAL PROVISIONS

"Sec. 574. (a) The Secretary may make such grants, contracts, or agreements, establish such procedures, policies, rules, and regulations, and make such payments, in installments and in advance or by way of reimbursement, or otherwise allocate or expend

funds made available under this title, as he may deem necessary to carry out the provisions of this title, including necessary adjustments in payments on account of overpayments or underpayments. Subject to the provisions of section 575, the Secretary may also withhold funds otherwise payable under this title in order to recover any amounts expended in the current or immediately prior fiscal year in violation of any provision of this title or any term or condition of assistance under this title.

"(b) The Secretary shall prescribe regulations to assure that programs under this title have adequate internal administrative controls, accounting requirements, personnel standards, evaluation procedures, and other policies as may be necessary to promote the effective use of funds.

"(c) The Secretary shall not provide financial assistance for any program, service, or activity under this title unless he determines that persons employed thereunder, other than persons who serve without compensation, 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 employee under the Fair Labor Standards Act of 1938 (29 U.S.C. 206), 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 for persons employed in similar occupations by the same employer.

"(d) The Secretary shall not provide financial assistance for any program under this title which involves political activities; and neither the program, the funds provided therefor, nor personnel employed in the administration thereof, shall be engaged, in any way or to any extent, in the conduct of political activities in contravention of section 603 of this Act.

"(e) The Secretary shall not provide financial assistance for any program under this title unless he determines that no funds will be used for and no person will be employed under the program on the construction, operation, or maintenance of so much of any facility as is for use for sectarian instruction or as a place for religious worship.

"(f) A child participating in a program assisted under this title shall not be required to undergo medical or psychological examination (except to the extent related to learning ability), immunization (except to the extent necessary to protect the public from epidemics of contagious diseases), or treatment, if his parent or guardian objects thereto in writing on religious grounds.

#### "WITHHOLDING OF GRANTS

"Sec. 575. Whenever the Secretary, after reasonable notice and opportunity for a hearing from any prime sponsor or project applicant, finds—

"(1) that there has been a failure to comply substantially with any requirement set forth in the plan of any such prime sponsor approved under section 515; or

"(2) that there has been a failure to comply substantially with any requirement set forth in the application of any such project applicant approved pursuant to section 516; or

"(3) that in the operation of any program or project carried out by any such prime sponsor or project applicant under this title there is a failure to comply substantially with any applicable provision of this title or regulation promulgated thereunder; the Secretary shall notify such prime sponsor or project applicant of his findings and that no further payments may be made to such sponsor or applicant under this title (or in his discretion that any such prime sponsor shall not make further payments under this title to specified project applicants affected by the failure) until he is

satisfied that there is no longer any such failure to comply, or the noncompliance will be promptly corrected. The Secretary may authorize the continuation of payments with respect to any project assisted under this title which is being carried out pursuant to such plan or application and which is not involved in the noncompliance.

#### "ADVANCE FUNDING

"Sec. 576. (a) For the purpose of affording adequate notice of funding available under this title such funding for grants, contracts, or other payments under this title is authorized to be included in the appropriations 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 advance funding method of timing appropriation action, 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.

#### "PUBLIC INFORMATION

"Sec. 577. Applications for designation as prime sponsors, comprehensive child development plans, project applications, and all written material pertaining thereto shall be made readily available without charge to the public by the prime sponsor, the applicant, and the Secretary.

#### "FEDERAL CONTROL NOT AUTHORIZED

"Sec. 578. No department, agency, officer, or employee of the United States shall, under authority of this title, exercise any direction, supervision, or control over, or impose any requirements or conditions with respect to, the personnel, curriculum, methods of instruction, or administration of any educational institution.

#### "NONDISCRIMINATION PROVISIONS

"Sec. 579. (a) The Secretary shall not provide financial assistance for any program under this title unless the grant, contract, or agreement with respect to such program specifically provides that no person with responsibilities in the operation of such program will discriminate with respect to any program because of race, creed, color, national origin, sex, political affiliation, or beliefs.

"(b) No person in the United States shall on the ground of sex be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or be denied employment in connection with, any program or activity receiving assistance under this title. The Secretary shall enforce the provisions of the preceding sentence in accordance with section 602 of the Civil Rights Act of 1964. Section 603 of such Act shall apply with respect to any action taken by the Secretary to enforce such sentence. This section shall not be construed as affecting any other legal remedy that a person may have if on the ground of sex that person is excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in connection with, any program or activity receiving assistance under this title.

#### "LIMITATION OF RESEARCH AND EXPERIMENTATION

"Sec. 580. The Secretary is directed to establish appropriate procedures to ensure that no child shall be the subject of any research or experimentation under this title other than routine testing and normal program evaluation unless the parent or guardian of such child is informed of such research or experimentation and is given an opportunity as of right to except such child therefrom.

#### "PARENTAL RESPONSIBILITY

"Sec. 581. (a) Nothing in this title shall be construed or applied in such a manner as to infringe upon or usurp the moral and legal



rights and responsibilities of parents or guardians with respect to the moral, mental, emotional, or physical development of their children. Nor shall any section of this title be construed or applied in such a manner as to permit any invasion of privacy otherwise protected by law, or to abridge any legal remedies for any such invasion which are otherwise provided by law."

(b) In order to achieve, to the greatest degree feasible, the consolidation and coordination of programs providing child development services, while assuring continuity of existing programs during transition to the programs authorized under this title, the Economic Opportunity Act of 1964 is amended, effective July 1, 1973, as follows:

(1) Section 222(a)(1) of such Act is repealed.

(2) Section 162(b) of such Act is amended by striking out "day care for children" and inserting in lieu thereof "assistance in securing child development services for children but not operation of child development programs for children".

(3) Section 123(a)(6) of such Act is amended by striking out "day care for children" and inserting in lieu thereof "assistance in securing child development services for children", and adding after the word "employment" the phrase "but not including the direct operation of child development programs for children".

(4) Section 312(b)(1) of such Act is amended by striking out "day care for children".

(c) The Secretary of Health, Education, and Welfare shall promulgate regulations to assure that other federally funded child development and related programs, including title I of the Elementary and Secondary Education Act of 1965 and section 222(a)(2) of the Economic Opportunity Act of 1964, will coordinate with the programs designed under this title. The Secretary shall insure that joint technical assistance efforts will result in the development of coordinated efforts between the Office of Education and the Office of Child Development.

(d)(1) Section 203(j)(1) of the Federal Property and Administrative Services Act of 1949 is amended by striking out "or civil defense" and inserting in lieu thereof "civil defense, or the operation of child development facilities".

(2) Section 203(j)(3) of such Act is amended—

(A) by striking out, in the first sentence, "or public health" and inserting in lieu thereof "public health, or the operation of child development facilities";

(B) by inserting after "handicapped," in clause (A) and clause (B) of the first sentence the following: "child development facilities," and

(C) by inserting after "public health purposes" in the second sentence the following: "or for the operation of child development facilities".

(3) Section 203(j) of such Act is amended by adding at the end thereof the following new paragraph:

"(8) The term 'child development facility' means any such facility as defined in 541(b)(1) of the Economic Opportunity Act of 1964."

(e) Section 205(b)(3) of the National Defense Education Act of 1958 is amended (1) by adding after the word "nonprofit" the phrase "child development program or" and (2) by striking out "and (C)" and inserting in lieu thereof "(C) such rate shall be 15 per centum for each complete academic year or its equivalent (as so determined by regulations) of service as a full-time teacher in public or private nonprofit child development programs or in any such programs as-

sisted under title V of the Economic Opportunity Amendments of 1971, and (D)".

#### PLAN REPORTING DATE

Sec. 14. Section 632(3) of the Economic Opportunity Act of 1964 is amended by inserting at the end thereof the following: "Such plan shall be presented to the Congress no later than March 1, 1972, and the documents updating such plan shall be presented to the Congress no later than January 31 of each succeeding calendar year."

#### GUIDELINES

Sec. 15. Part B of title VI of the Economic Opportunity Act of 1964 is amended by adding at the end thereof the following new section:

#### "GUIDELINES

"Sec. 639. All rules, regulations, guidelines, instructions, and application forms published or promulgated pursuant to this Act shall be published in the Federal Register at least thirty days prior to their effective date."

In addition, Mr. Speaker, I would also like to answer as succinctly as possible certain questions which my colleagues might have with regard to the bill:

#### QUESTIONS AND ANSWERS

Question. What are child development programs?

Answer. Child development programs are those services which provide for the physical, emotional, social and educational development of children. They may be full day, half day, after school, weekend, overnight or hourly programs; they may be provided in centers, such as day care or Head Start, in schools or in homes.

Child development programs may be designed to work directly with the child or through his parents; they may include services for youth and prospective parents to teach them the fundamentals of child development.

Question. What may be funded as part of Child Development programs?

Answer. A variety of services may be funded as part of child development programs, including day care services, preschool services, special services designed to improve the home environments of children and to involve the family in the child's development, special services designed to identify physical, mental and emotional barriers to full participation in child development programs, and services to meet the special needs of handicapped children.

Funds may be used to carry out a program of daily activities, to provide food and nutritional services, including family consultation, to provide social services, to provide medical, psychological, educational and other appropriate diagnostic services, and services to ameliorate handicaps.

Funds may also be used to plan and develop programs, to establish and to maintain them.

Funds may be used for rental, remodeling and renovation, alteration, or construction of necessary facilities and the acquisition of equipment and supplies.

It is important to note that this is not just a babysitting operation to provide custodial care for children while their mothers work. The bill emphasizes the wellbeing of children and the services they need for full development—whether their mothers work or not.

It is not just another program for the poor. While priority is given to preschool children with the greatest economic and social need, the bill is intended to make services available to families at all income levels with those above the poverty level paying a fee set by the Secretary of HEW.

Question. Who is eligible to receive child development services?

Answer. Child development services may be provided for all (aged 0-14) children needing and benefitting from such services. Particular emphasis is given to the provision of special services for children 3 to 5, handicapped children, Indian and bilingual children, children in migrant families and children from economically disadvantaged families.

As I have said, this is not just another program for the poor. While priority is given to preschool children with the greatest economic and social need, the bill is intended to make services available to families at all income levels with those above the poverty level paying a fee set by the Secretary of HEW.

Question. Who may receive funds to operate child development programs?

Answer. Applications for funds to operate child development programs may be submitted by any public or private nonprofit or profit organization or group. Applications are to be made to the agency designated to develop and implement the child development plan.

Question. What is the cost for participating in one of these programs?

Answer. (a) No charge to families below certain level (\$4320). All others pay according to fee schedule based on ability to pay.

(b) Families with between \$4320 and \$5916 income would pay 10% of their income over \$4320 for their children's participation, i.e. \$159.00.

(c) Families with income between \$5916 and \$6960 would pay 10%, plus 15% of income over \$5916, i.e. a family of four with \$6960 income, for example would pay a total of \$317 a year for each child.

(d) The Secretary of Health, Education, and Welfare could under the bill set a fee schedule for families with more than \$6960 income.

Question. What proportion of the total costs will the Federal Government pay?

Answer. The Federal Government will pay to each State an amount not to exceed 80% of the cost of providing child development services (except when the secretary deems it necessary to waive such matching).

Question. How may the non-Federal share be provided and what form may it take?

Answer. The non-Federal share of costs of programs under this title may be provided through public or private funds and may be in the form of goods, services, or facilities, or from union or employer contributions. If, in any fiscal year, a program provides non-Federal contributions exceeding its requirements such excess may be applied toward meeting the requirements for such contribution of other such programs for the same fiscal year.

Question. Will any State receive less Federal funds for child development services?

Answer. Each State is guaranteed an allocation at least equal to the aggregate amount received by it, and by public and private agencies in the State, during the fiscal year 1972 under the Economic Opportunity Act (Headstart) for child development services.

Question. What Federal agency will have responsibility for administering the Child Development program?

Answer. The Office of Child Development within the Department of Health, Education and Welfare, will be the principal agency for administering the child development program. Responsibilities include the approval of child development plans, and the coordination of programs and other activities relating to child development.

Question. What is the relationship of the Child Development Bill to Head Start?

Answer. (1) Head Start allows 10% non-disadvantaged to participate in its program. The Child Development Bill extends services to all children but with a priority to the disadvantaged.

(2) The Head Start program allows children of parents whose income is less than the poverty level (\$3,900) to participate in the program without charge. All others must pay, including the near poor.

(3) The Child Development Bill would allow children whose families have an annual income below \$4320 to participate free. All other children would be required to pay a fee based upon a fee schedule established by the bill up to the lower living standard budget for a family of 4 (presently \$6960); above that amount, the fee schedule would be established by the Secretary.

(4) The Child Development Bill encourages a socio-economic mix. The socio-economic mix is not a requirement of the Head Start program.

Question. What programs that presently exist would be incorporated into the Child Development Bill?

Answer: (1) Concentrated Employment Program: authorized day care services for those involved in manpower programs. Funds available to consumer through local manpower programs or CAP agencies.

(2) Head Start Program: authorized preschool education programs for economically disadvantaged. Also involved day care services, part-time, full-time and home care. Funds available to the consumer through local programs and CAP agencies.

(3) Migrant and Seasonal Workers: authorized day care services to migrant and seasonal workers. Funding mechanism varies. Funds sometimes distributed through CAP agencies, welfare agencies, etc.

Question. What are the provisions for evaluation?

Answer. Evaluation—The Secretary shall through the Office of Child Development, make an evaluation of Federal involvement in child development in specific areas. The results of this evaluation shall be reported to Congress no later than eighteen months after enactment of the Act.

The Secretary may enter into contracts with public or profit agencies, organizations, or individuals to carry out provisions of this section.

The Secretary shall establish such procedures as may be necessary to conduct such an annual evaluation of Federal involvement in child development, and shall report the results of such annual evaluation to Congress.

Such information as the Secretary may deem necessary for purposes by the annual evaluation shall be made available to him, upon request, by the agencies of the executive branch.

Question. What are the provisions of Technical Assistance?

Answer. The Secretary shall, directly or through grant or contract, make technical assistance available to agencies and organizations participating or seeking to participate in programs under this Act on a continuing basis to assist them in developing and carrying out child development plans under Section 103.

Question. What are the priorities in the bill?

Answer. To on-going programs, e.g. Head Start, \$500,000,000.

To children of low income families.

To children of migrants—X% of appropriation.

To children of working parents.

To Indians—X% of appropriation.

To bilinguals.

To handicapped—10% of allotment.

Question. What provisions are made for research?

Answer. The Secretary of Health, Education and Welfare shall integrate and coordinate all child development research training and development efforts including those conducted by the Office of Child Development and by other agencies, organizations and individuals.

A Child Development Research Council consisting of a representative of the Office of Child Development (who shall serve as chairman), and representatives from agencies administering the Social Security Act, Elementary and Secondary Education Act of 1965, the National Institute of Mental Health, the National Institute of Child Health and Human Development, and the Office of Economic Opportunity shall meet annually and from time to time as they may deem necessary in order to assure coordination of activities under their jurisdiction.

Question. How many children can you provide services to for two billion dollars?

Answer. There are various ways to look at this matter but two examples of two estimates that I have obtained from Department of Health, Education and Welfare are as follows:

(1) Part day services—children 0-5 under \$4320=1,538,462 which is 42% of the eligible population—presently serving 20% or 479,400.

(2) Full day services for 0-5 under \$4320 and school age (0-14)=625,000 preschool and 1,428,580 school age or a total of 2,053,572.

Costs for (1) above—\$1300 per child.

Costs for (2) above—\$1600 per child and \$700 for school age.

Question. How much Federal money are we now spending on the programs to be incorporated in this bill?

#### TOTAL ESTIMATED FEDERAL EXPENDITURES AND NUMBER OF CHILDREN IN CHILD CARE, FISCAL YEAR 1972

[Includes Part Day and Summer]

	Expenditures	Number of children
Programs incorporated in this bill presently being funded...	\$7,500,000	9,500
	376,500,000	479,400
	1,000,000	2,000
	385,000,000	490,900

#### GROUPS SUPPORTING CHILD DEVELOPMENT

Mr. Speaker, at this point I would also like to insert into the RECORD a representative list of groups which have indicated their continuous support of the child development program:

#### GROUPS SUPPORTING CHILD DEVELOPMENT

American Academy of Pediatrics.  
The National Council of Churches.  
United States Catholic Conference.  
United Methodist Church.  
Christian Science Committee on Publications.  
Southern Christian Leadership Conference.  
National Council of Jewish Women.  
National Conference on Christians and Jews.  
American Jewish Congress.  
National Association for Catholic Women.  
National Conference of Catholic Charities.  
The Friends Committee on National Legislation.  
National Board of YWCA.  
United Auto Workers.  
National Education Association.  
Washington Research Project Action Council.  
Council for Exceptional Children.  
Women's International League for Peace and Friends.  
AFL-CIO.  
International Ladies' Garment Workers Union.  
Amalgamated Clothing Workers of America.  
National League of Cities-U.S. Conference of Mayors.  
National Council on Hunger and Malnutrition.  
National Council of Negro Women.  
American Bankers Association.  
National Association for Social Workers.

American Bar Association.  
American Association of University Women.  
Day Care and Child Development Council, Inc.

Americans for Democratic Action.  
Americans for Indian Opportunity Action Council.

Zero Population.  
Children's Lobby.  
United Steel Workers of America.  
National Welfare Rights Organization.  
Leadership Conference on Civil Rights.  
Common Cause.

League of Women Voters of the United States.

NAACP.  
American Public Welfare Association.  
Urban League.  
Women's Auxiliary of AMA (American Medical Association).

#### LETTERS FROM ORGANIZATIONS SUPPORTING CHILD DEVELOPMENT BILL

Mr. Speaker, the support of these outstanding groups has been overwhelming. The following letters I would like to share with you now are examples of the continuing growing support of the child development program.

For example, here is a copy of the November 30, 1971, letter from Clarence Mitchell, legislative chairman, Leadership Conference on Civil Rights, endorsing the comprehensive child development bill. A copy of the letter sent to the President from Roy Wilkins is also included:

#### LEADERSHIP CONFERENCE ON CIVIL RIGHTS, November 30, 1971.

DEAR MR. CONGRESSMAN: I want to call to your attention a letter that nine national leaders of the American civil rights movement have just sent to the President.

They have joined in urging President Nixon to sign into law S. 2007—the bill to continue OEO's programs for two years and to set up a system of comprehensive child development centers—once Congress adopts the Conference Report on the bill. In doing so, they are expressing the hope of millions of Americans that the programs in this landmark legislation can be put into operation soon, to the benefit of the nation's poor and of millions of working parents and their children at all economic levels.

These nine leaders—Rev. Ralph David Abernathy, Dorothy Height, Vernon Jordan, A. Philip Randolph, Bayard Rustin, Harold Sims, Rev. Andrew Young, Coretta King—make joint appeals only on extraordinary occasions. We believe the situation in which S. 2007 finds itself is extraordinary. It would be little short of calamitous if Congress did not pass this bill and if the President did not promptly sign it into law.

While their urging is directed to President Nixon, of course it is all directed to members of Congress, too. You must act first, if the issue is to come before the President. We therefore use their plea to reinforce our own. On behalf of the 127 national organizations in the Leadership Conference on Civil Rights, I respectfully urge you to be present when the Conference Report on S. 2007 comes before the House—probably on Thursday, December 2—and vote to adopt it.

Sincerely yours,

CLARENCE MITCHELL,  
Legislative Chairman.

NOVEMBER 24, 1971.

The President,  
The White House,  
Washington, D.C.

DEAR MR. PRESIDENT: On behalf of millions of working parents and their children, we urge you to sign S. 2007 into law as soon as



the House and Senate adopt the Conference Report.

This bill would, among other things, establish a comprehensive program of child development. By making it possible to place children in their earliest years in an environment in which they will be learning and developing, S. 2007 would help provide the education and comprehensive services they must have to escape the wretched plight in which many of their families find themselves. By bringing together children of different racial, social and economic backgrounds, the program would provide them with an invaluable opportunity to grow up knowing each other as individuals.

You have recognized the need to give "all American children an opportunity for healthful and stimulating development during the first years of life." This bill does that. It has been said that you may veto the bill because it will cost too much. We do not know exactly what the program will cost in the years ahead. We do know, however, that the cost of not having such a program is already too high. We know, too, that if our country is to have meaningful welfare reform, it must provide comprehensive care for the children of welfare recipients, not simply a cheap dumping ground for the children so that the parents can be freed for work and training.

We support, of course, the other provisions of S. 2007, particularly the extension of the Office of Economic Opportunity's program for two more years and the new Legal Services Corporation.

These, together with the child development program, are critically needed if we are to make new inroads in dealing with the awful blight of poverty. We know how much you wish to be President of all the people. There is no better way to signal that intention than by signing S. 2007 as soon as it is sent to you by the Congress.

Sincerely,

ROY WILKINS,  
Chairman.

Reverend Ralph David Abernathy, President, Southern Christian Leadership Conference; Dorothy Height, President, National Council of Negro Women; Vernon Jordan, Executive Director, Designate, National Urban League; A. Philip Randolph, President, A. Philip Randolph Institute; \* Mrs. Coretta King, widow of Martin Luther King, Jr., fully endorses this letter. Unfortunately, her endorsement came too late for her name to be included when the letter was sent to the White House; Bayard Rustin, Executive Director, A. Philip Randolph Institute; Harold Sims, Acting Director, National Urban League; Reverend Andrew Young, Chairman, Atlanta Community Relations Commission.

Mr. Speaker, the acting executive director of the American Baptist Convention, Richard L. Riseling, has most enthusiastically expressed his support for the child development bill in the following letter dated December 1, 1971:

DECEMBER 1, 1971.

HON. JOHN BRADEMAs,  
U.S. House of Representatives,  
Washington, D.C.

DEAR MR. BRADEMAs: There is a growing appreciation of the crucial importance of the early years in a child's life, not only for physical and intellectual growth but for social and emotional as well. These are the formative years in which permanent foundations are laid for a child's feeling of self-worth and confidence in his ability to achieve.

This week, Congress has the opportunity to improve the quality of health, nutrition, and education services to young children. By passing the Child Development Bill, Congress

would commit itself to the provision of quality day care centers for working mothers and accept the important responsibility for establishing high standards and then enforcing them. Consequently, a whole generation of children would be the beneficiaries of the kind of learning experience which would enrich a child's personality.

With federal support and adequate planning, day care centers for pre-school children could provide a rare opportunity for child development, including the possibility of creative experimentation in educational methods, that does not exist in the inadequate "custodial" centers now established merely as babysitting services.

With these possibilities in mind, the Division of Christian Social Concern of the American Baptist Convention urges you to support the Child Development Bill and accept the challenge of stimulating development during the early years of life.

Sincerely,

RICHARD L. RISELING,  
Acting Executive Director.

I am pleased to include this letter from Donald F. Lavanty, director, Department of Federal Relations, American Optometric Association:

AMERICAN OPTOMETRIC ASSOCIATION,  
December 1, 1971.

HON. JOHN BRADEMAs,  
Chairman, Select Subcommittee on Education,  
Rayburn House Office Building,  
U.S. House of Representatives, Washington, D.C.

DEAR CONGRESSMAN BRADEMAs: The American Optometric Association strongly supports the Comprehensive Child Development Section of S. 2007, the Economic Opportunity Act Amendments of 1971.

The new Child Development Title to the Act represents a broad and balanced approach to the present child development problem. We agree with and support the Title's emphasis on providing a full range of health, educational and social services; attempting to create a proper sociological mix within a particular program; and on involving the Federal, State and Local governments along with individual parents in the implementation of the title.

Since optometrists provide over 70% of the vision care services in America, the American Optometric Association especially supports the Title's wide range of health services, and particularly vision care services to children within a particular program. Good vision is critical to the intellectual and social development of American children and should be given a high priority in any Child Development Program. For vision is at the heart of the learning process and any impairment of this precious resource can seriously impede a child's learning and maturation process.

Cordially,

DONALD F. LAVANTY,  
Director,  
Department of Federal Relations.

Here, Mr. Speaker, is a letter from Mrs. Bruce B. Benson, president of the League of Women Voters of the United States:

WASHINGTON, D.C.,  
November 30, 1971.

DEAR CONGRESSMAN: The League of Women Voters of the United States urges you to be present on December 2 and to vote for passage of the Economic Opportunity Act Amendments, with the Comprehensive Child Development title—S. 2007, as agreed upon by the Conference Committee.

The League believes it absolutely essential for this nation to provide comprehensive care for children. Every year of delay is a year's opportunity denied to millions of children. Even though S. 2007 will not satisfy even the

existing needs, it is a big step in the right direction.

We believe it consistent with the need to place more control in local hands that local governments and community agencies be able to contract directly with the federal government. To go through the extra red tape of state delivery systems is non-essential and one more step removed from tailoring programs to community need.

We believe, further, that parental participation is one hundred percent consistent with the American way of life, and is an essential ingredient of sound child development programs. Those who see in this legislation threats of federal control over the minds of children should recognize that it is precisely the requirements for local prime sponsorship and parental participation that protect against just that danger.

Your vote for S. 2007 will put on record your genuine commitment to a change in national priorities—a change toward greater investment in the nation's human resources.

Sincerely,

Mrs. BRUCE B. BENSON,  
President.

I insert at this point a letter, dated December 1, 1971, from Stanley J. McFarland, assistant executive secretary, National Education Association:

DECEMBER 1, 1971.

DEAR CHAIRMAN PERKINS: The National Education Association urges that the Congress approve the conference report on S. 2007, the Economic Opportunities Amendments of 1971. As you know, the NEA has been an active supporter of the "War on Poverty" since its inception. While we have been critical of administrative actions of the OEO in recent years, this in no way denotes lack of support for the intent of the law. We believe the 1971 amendments, if properly administered, can improve the operation of the programs.

We are, of course, particularly anxious that the Child Development provisions of S. 2007 be enacted. The need for a national program for child care centers, with major emphasis on improving the health, education, and growth of children, is great. We see no reason to delay enactment of such a program. Indeed, it is long overdue. S. 2007 provides one year of lead time to "gear up" for the actual funding to begin in 1973. If major problems emerge during this time the Congress can make the necessary adjustments.

The confusion fostered by some opponents who contend that the program interferes with parental rights is regrettable. The program in S. 2007 is entirely voluntary. It does not contain the repressive provision suggested by some that parents who refuse to place their children in day care facilities so that they can be trained for work will lose AFDC payments.

We commend you for your effective and consistent leadership in this great cause.

Sincerely,

STANLEY J. MCFARLAND,  
Assistant Executive Secretary, Government Relations and Citizenship, National Education Association.

Here, Mr. Speaker, is a letter from Frederick J. Weintraub, assistant executive secretary for Governmental Relations, the Council for Exceptional Children:

DECEMBER 1, 1971.

DEAR MR. BRADEMAs: On behalf of the Council for Exceptional Children, I would like to commend you and your committee for your long standing efforts on behalf of child-development day care. The Council strongly supports the provisions in Title V of the conference report of S. 2007 regarding handicapped children.

For many of the nation's seven million handicapped children, particularly the one

million below school age, the provisions of the conference report will determine their ability to become participating citizens and bring to their families the assistance they need in realizing the potential of their children.

We have advocated this legislation before your sub-committee for three and one-half years. We sincerely hope that the Congress will finally make this program a reality.

Again, our thanks for your efforts.

Sincerely,

FREDERICK J. WEINTRAUB,  
Assistant Executive Secretary for Governmental Relations, The Council for Exceptional Children.

The director of the department of legislation, Andrew J. Biemiller, has written this following letter in behalf of the American Federation of Labor and Congress of Industrial Organizations:

NOVEMBER 29, 1971.

DEAR CONGRESSMAN BRADEMAs: The AFL-CIO strongly supports the House-Senate conference report on S. 2007, legislation extending the Office of Economic Opportunity for two more years.

Included within S. 2007 is creation of an historic comprehensive child development program and establishment of an independent National Legal Services Corporation.

The AFL-CIO has, since its inception, supported OEO. We continue to do so. We also are convinced that the new legal services corporation, as resolved in conference, is beneficial legislation.

The new comprehensive child development program meets a long-recognized national need. The Conference report calls for education, health, and nutrition services to children. Once implemented, working parents—as well as welfare recipients—will have decent day care available for their children.

President Nixon declared, August 11, 1969, that: "This Administration is committed to a new emphasis on child development in the first five years of life. The day care that would be part of this plan would be of a quality that will help in the development of the child and provide for his health and safety, and would break the poverty cycle for this new generation."

The President's 1969 plan only covered the children of welfare recipients. The S. 2007 conference report provides free services for these children and similar services for the children of working parents willing to pay fees established on a graduated scale according to family income.

Despite a rash of recent "scare" propaganda, the conference report's day care program is not mandatory. Instead, for the first time, comprehensive day care will be available for the children of parents who want something better than all custodial care—or no care at all—for their children.

Such a comprehensive child development program has long been a goal of the AFL-CIO and the millions of America's working parents with young children.

The AFL-CIO urges you to approve the conference report on S. 2007, including this important new program.

Sincerely yours,

ANDREW J. BIEMILLER,  
Director, Department of Legislation,  
American Federation of Labor and  
Congress of Industrial Organizations.

I insert at this time a letter dated November 29, 1971, from Willis N. Zagrovich, president, Indiana State AFL-CIO:

NOVEMBER 29, 1971.

DEAR CONGRESSMAN BRADEMAs: It is our understanding that the House of Representatives will be voting this week on the conference report covering S. 2007, which extends the Office of Economic Opportunity for two years, creates a new system of child

development (day care) centers, and establishes a legal services corporation.

The AFL-CIO considers the comprehensive child development title of S. 2007 to be of major importance to working parents and their children.

We, therefore, strongly urge that you support and vote for the conference report on S. 2007.

Sincerely,

WILLIS N. ZAGROVICH,  
President, Indiana State AFL-CIO.

The following letter to Mr. Perkins is from William G. Lunsford, legislative representative, the Friends Committee on National Legislation:

DECEMBER 1, 1971.

DEAR CONGRESSMAN PERKINS: With this letter the Friends Committee on National Legislation reaffirms its support for the continuation of the programs of the Office of Economic Opportunity, along with the establishment of a national legal services program for the poor, and the establishment of a comprehensive national child development program. We are urging all members of the House of Representatives to enthusiastically support S. 2007.

We are well aware that the establishment of the Child Development Program has become one of the most controversial aspects of this bill, however having the belief as we do that the greatest asset of this nation lies in the development of the full potential of every individual, we find it extremely difficult to understand opposition to this program.

One cannot begin to compare the cost of the Child Development Program to the costs of lost human potential in our young children who have not had the benefit of preschool education services prior to entering the education system, and the cost of a lost economic value of mothers who have substantial talent to offer in the labor market, but are unable to utilize those talents due to a lack of adequate child care services.

The argument that the establishment of a national child development program would lead to the "socialization" of our young people would probably also be made by the same people if we were considering the establishment of the universal public education system for the first time. The result of public education and the opportunities which it has offered to a broad spectrum of people should put that argument to rest.

The conference version of a child development program is not all that we advocated in supporting the Senate Bill S. 2007, however, we do feel that it is a giant step towards the establishment of the "right" of all citizens to develop to their fullest potential.

Again, I emphasize that we completely support S. 2007, and anticipate its passage by the House of Representatives.

Yours truly,

WILLIAM G. LUNSFORD,  
Legislative Representative, Domestic  
Affairs.

Mr. Speaker, I also received this letter today from Dolores Mitchell, chairman, executive committee, Americans for Democratic Action:

AMERICANS FOR DEMOCRATIC ACTION,  
Washington, D.C., December 1, 1971.  
Congressman JOHN BRADEMAs,  
B345A Rayburn House Office Building,  
Washington, D.C.

DEAR CONGRESSMAN BRADEMAs: Americans for Democratic Action (ADA) would like to thank you for your faithful support of the Child Development Program, now Title V of the Conference Committee Report on S. 2007. We have long advocated legislation providing for a comprehensive child-oriented developmental program and we enthusiastically support the bill that has emerged from the conference committee. ADA members will

continue to work for final approval of the report by the House on December 2.

Sincerely,

DOLORES MITCHELL,  
Chairman, Executive Committee.

Mr. Speaker, I would also like to include a letter from Lawrence A. LaMotte, chairman, national priorities, Committee of Executive Board, the New Democratic Club, First District, Baltimore County:

DECEMBER 1, 1971.

GOODLOE E. BYRON,  
1730 Longworth Building,  
Washington, D.C.

DEAR CONGRESSMAN BYRON: Speaking for the Executive Board of the New Democratic Club, First District Baltimore County, I urge you to vote for the Conference Report of S. 2007, the Office of Economic Opportunity Extension Bill.

We feel that OEO should continue as the only institution of the government that is devoted to the study and the elimination of poverty.

The Legal Services Corporation should prove to be effective in protecting the rights of the poor. In the past, legal programs have been harassed by local and state administrators for being effective in representing indigent clients. The Corporation, we feel, will give lawyers an independence, with restraint, in order to concentrate on the cases of their clients and represent them adequately.

The third provision of this bill, the Comprehensive Child Development Program, seems to be enveloped by misinformation at best, and paranoia at worst. The charge by a leading columnist that this section of the bill is a Communist Plot is not only unfounded, but is totally up for ridicule. The fact that State governments do not necessarily have control over child care programs is a good point for the program. Local government units and local citizens, in the American tradition of grass-roots political control and representative government, can and will exercise good judgment in child care. The participation of parents will also prove to be an effective control of the program. By eliminating the bureaucratic "red-tape" of state organizations, more child care services opportunities will be available for each child.

We know and understand that some of your mail has been against this bill and specifically against the child development provisions. We hope that you will exercise leadership and education in voting for the Conference Report.

Yours in Peace,

LAWRENCE A. LAMOTTE,  
Chairman, National Priorities, Committee of Executive Board.

Here is a letter written November 26, 1971, by Stephen M. Sindlinger, O.D., F.A.A.O., Muncie, Ind.:

DR. STEPHEN M. SINDLINGER,  
Muncie, Ind., November 26, 1971.  
Representative JOHN BRADEMAs,  
U.S. House of Representatives, Washington,  
D.C.

DEAR MR. BRADEMAs: I am writing concerning the Comprehensive Child Development Act (H.R. 10351 and S. 2007). This Act would provide for comprehensive care (educational, nutritional, health, etc.), for preschool children on a voluntary basis.

It is known that a person's primary learning takes place before he enters first grade. This Act would seem to provide many more children with the opportunity to develop their full potential.

I attended the White House Conference on Children in December, 1970, and I feel this legislation would not only benefit the people of Indiana but also of the entire country.

Sincerely yours,

STEPHEN M. SINDLINGER, O.D., F.A.A.O.



Finally, Mr. Speaker, here are two telegrams dated November 30, 1971. Both telegrams express their support of the child development program:

**SOUTH BEND, IND., NOVEMBER 30, 1971.**

Representative JOHN BRADEMAS: League Womens Voters South Bend urges yes vote conference Committee Report S.2007 OEO child care.

Mrs. JAMES ROBINSON.

**AMERICAN PERSONNEL  
GUIDANCE ASSOCIATION.**

November 30, 1971.

JOHN BRADEMAS: On behalf of the 28,000 members of the American Personnel Guidance Association throughout the United States we ask your support of the comprehensive child development provision in S.2007 now in conference. The association particularly endorses those services to be provided low income children with particular emphasis on appropriate educational social and vocational guidance and counseling which can maximize the intellectual and physical growth potential of such children both at the preschool and elementary levels.

GARY WALLS, President.

PATRICK J. McDONOUGH,

Acting Executive Director.

**THE TOTAL PICTURE**

Mr. Speaker, the following article appeared in the National Journal. I am at this point including it in the RECORD because I feel it offers a comprehensive and accurate account of the development of the child-care program:

**WELFARE REPORT/CONGRESS PRESSES MAJOR  
CHILD-CARE PROGRAM DESPITE WHITE HOUSE  
VETO THREAT**

(By John K. Iglehart)

Congress is about to leave a bundle of expensive proposals for a national network of child-care centers on the White House doorstep. The White House may well refuse to take it in.

The child-care package—which could cost more than \$1 billion a year by 1973—has moved through both houses into a Senate-House conference committee with bipartisan support, despite active opposition from Administration officials.

Congress largely ignored Administration protests, partly because of the political appeal of a program that would serve children from families of all income ranges, and partly because the Administration was so late coming up with a counterproposal.

By the time Administration policy had emerged from a dispute between the HEW Department and the Office of Management and Budget, Congress was ready to mark up its final bills.

Administration opposition is based in large part on fears of a commitment to huge future costs of child care. HEW Secretary Elliot L. Richardson estimates that it would cost \$20 billion to provide child care to the 18.7 million children eligible for free services under the Senate-passed bill.

"I am inclined to think that at the moment we may be headed for a veto," said a White House staff member, who declined to be quoted by name. "We don't have a hell of a lot of bargaining room."

Beyond the child-care proposal, there are a number of other provisions of the bill (S. 2007) to which it was attached that are viewed at the White House as none too acceptable.

Ironically, backers of the child development program lean heavily on a statement made by President Nixon in February 1969 to justify further federal intervention in the care and education of American children.

"So critical is the matter of early growth that we must make a national commitment

to providing all American children on opportunity for healthful and stimulating development during the first five years of life," the President said in a message to Congress.

Following the President's theme, the 1970 White House Conference on Children and Youth gave top priority to creation of "comprehensive family-oriented child development programs."

Need: Advocates of the program also point to a growing need for more child-care centers. The Labor Department estimates that during the past 20 years the number of mothers in the labor force who have children under age 18 has almost doubled to 11.6 million:

At the same time, there has been a significant increase in the number of mothers who are on welfare and are unable to work because of their domestic responsibilities.

In fiscal 1971, federal expenditures for child care totaled \$682.9 million, the HEW Department estimates. The funds flowed largely under the authority of the Social Security Act (49 Stat 620) and the Economic Opportunity Act (83 Stat 827).

The federal funds financed the care of 824,741 children, including part-time and summer placement in Head Start, a preschool program for children from poor families.

Action: The Senate approved its version of child development legislation Sept. 9.

The proposal is part of a bill (S 2007) that would extend the Economic Opportunity Act for two years.

The proposal, sponsored by Sen. Walter F. Mondale, D-Minn., and 32 other Senators, would authorize HEW to spend \$100 million in fiscal 1972 to plan for new child-care centers.

For fiscal 1973, the bill would authorize \$2 billion for child development programs, including \$500 million for existing Head Start projects.

In the House, the road for childcare legislation was rougher, but a proposal sponsored by Rep. John Brademas, D-Ind., and 97 other Members, was approved, 251-115, Sept. 30. It also was part of a bill (HR 10351) extending the life of the Office of Economic Opportunity.

Similarities—In many respects, the Senate and House bills are similar.

Both provide for an amalgam of Head Start programs and new child development centers.

For poor families, the services would be free; families above low-income levels would pay for child care.

Members of Congress who support the bills said they believe the opportunity to mix children from different socio-economic backgrounds would be one of the most attractive features of the program, educationally and politically.

Both would give parents a prominent role in shaping programs at the centers. The Senate bill would give parents a virtual veto over decisions affecting programs.

Administering—Both proposals would give statutory authority to HEW's Office of Child Development, which now exists as an entity created April 9, 1969, by order of former HEW Secretary (1969-70) Robert H. Finch, at Mr. Nixon's request. (Finch is now counselor to the President.)

By giving the office control of the programs, Congress seeks to avoid domination by the well-established welfare and education bureaucracies already in existence.

Conference—House and Senate Members opened a conference on the legislation Oct. 12 and after four extended sessions the toughest issues remained unresolved.

The threat of a veto dominated all of the discussion. Republican conferees suggested in opening statements that Mr. Nixon may exercise his power of veto if Congress adopts too high an income level under which families would get free services. A Senate aide

said that the conferees hoped to avoid a veto but had received "absolutely no signals" from the Administration as to a compromise.

The Senate bill authorizes the granting of free services to urban families of four with annual incomes of less than \$6,960. The House bill would grant the HEW Secretary the discretion to set the level, and it would most likely be \$4,320, the cut-off level for eligibility under the Administration's welfare reform proposal.

Outside pressure: Most of the outside lobbying muscle used to move the child-care legislation through Congress came from a coalition of some 25 diverse organizations ranging from the AFL-CIO to the National Education Association and the Black Child Development Institute.

The core of the coalition was composed of Washington representatives of organized labor groups. They were instrumental, particularly in the Senate, in shaping the legislation in a way that leaves states out of control of the program and parents very much in.

In these respects, they reinforced the very strong feelings of Mondale and Rep. Carl D. Perkins, D-Ky., chairman of the House Education and Labor Committee.

**ADMINISTRATION DISPUTE**

The Administration's internal debate between HEW and OMB centered on the proper federal role in financing and delivering child-care services.

The OMB favored limiting any new federal commitment to providing care to the child-care provisions of H.R. 1, the President's welfare-reform bill.

Under that measure, \$750 million—\$410 million of it new money—would be earmarked for child care with the purpose of freeing welfare mothers to work or take job training.

The bill does not specify the quality of child-care service nor does it spell out how the program would be structured.

HEW favored a more expansive federal role, including the creation of a child-care delivery system, as proposed in the Brademas and Mondale bills.

HEW Secretary Richardson refused to accept the OMB position.

He told OMB he would assume that the Administration position was the HEW position unless Mr. Nixon personally told him otherwise. The President never did.

Richardson finally won the argument, although he twice cancelled scheduled appearances on the program before Brademas' House Education and Labor Select Education Subcommittee in late May because the issue had not been resolved.

Dr. Edward Zigler, director of the Office of Child Development, said, "This Administration is having a heck of a time in coming to grips with what its philosophy is on day care."

**OMB'S CASE:**

An official of HEW's legislative office described the conflict as a "classic OMB problem."

"OMB was afraid that it would undercut HR 1 day care if the Administration expressed its approval of another proposal. OMB also was afraid of a very expensive mandated developmental day-care program."

Richard P. Nathan, a former OMB assistant director and now HEW's deputy under secretary for welfare-reform planning, strongly opposed an Administration commitment to child care beyond HR 1.

One official, who leaned to OMB's viewpoint in the discussions, said in an interview that Nathan questioned whether the nation is ready financially to extend the public responsibility for education to the preschool years, as envisioned by the Mondale-Brademas proposals.

"These programs have customarily been paid for privately," the official said. "And

whose role is it to make this decision? Such questions are usually matters of state and local government responsibility."

He said that OMB further questioned whether "in this period" an expensive new child development program is a priority item.

The OMB also pressed the argument that a close relationship should be maintained between child-care programs and public assistance.

"The Administration is strongly committed to day care as a way to get welfare kids into a better environment," the official said. "The Administration is for it in relationship to a welfare strategy that relates to getting parents to work."

Department view: Richardson aggressively defended his position in support of creating a child-care delivery system.

In reviewing the dispute, Richardson said in an interview that the "most telling argument" he used was a combination of two points: the President's commitment to the first five years of life and the child development program as a form of special revenue sharing for states and cities.

Richardson took a very firm position in support of his views. One top HEW official said the Secretary "refused to take an OMB staff judgment that we should oppose this legislation as an Administration position until or unless the President confirmed it."

Legislative specifications: Richardson won his point and the Administration sent Brademas its specifications for a child-care bill on June 8.

The principal feature of the proposal was a consolidation under one authority of the existing federal child-care programs. No federal funding for child care was recommended beyond that already authorized under existing programs.

The proposed legislation would have established a system of prime sponsors, principally at the state level, with major involvement for overseeing local programs only for cities of more than 500,000 population.

The specifications arrived on Capitol Hill shortly before the Brademas subcommittee began marking up its child-care bill.

Commenting on the impact of the Nixon Administration's late-arriving child-care proposal, Brademas said: "In all candor, I would not give the Administration much credit for input into the bill."

A Republican House Member who cosponsored the Brademas bill said: "The Administration was so late with its specifications that things had been pretty well firmed up by then."

Philosophy: The Administration is interested in child-care centers primarily for the role they could play in enabling welfare mothers to work. There is a second interest in child development, as expressed by the President, but within strict budgetary lines.

Richardson told the Senate Finance Committee Sept. 22: "We must not, however, focus entirely on the goal of freeing mothers for work. We also have a great opportunity at the same time to invest in the development of the next generation and thereby begin to break the terrible, dehumanizing cycle of poverty."

Support—The House Ways and Means Committee approved the Administration's request for additional funds for child care. The bill's report (HRep 92-231) makes it clear that the committee's primary interest is in putting welfare mothers in training or on jobs:

"Child care for the preschool child should not be care of low quality, but should include educational, health, nutrition and other needed services whenever possible. However, the lack of child care of that level would not be good cause for failure to take training, if other adequate and acceptable care is available."

As a result of this statement and the assumption that HEW has made of serving one million children with the \$750 million in HR 1, Mondale and other Members have expressed skepticism about the Administration's commitment to developmental child care.

Dissent—The department's Office of Child Development also has some apprehension over the likely level of care that will be purchased under HR 1.

One OCD official, who asked not to be quoted by name, said: "Those of us who care about kids are just about as apprehensive as you can get about the kind of care that kids will get under this welfare-reform legislation."

Confrontation: OCD's Zigler is among those at the office concerned over the question of quality of HR 1 care. At a closed child-care briefing with Richardson on Sept. 21, Zigler asked the Secretary to clarify the Administration's position on the quality of care for welfare children.

One participant in the meeting told *National Journal*: "Zigler suggested that a lack of clarity existed on the Administration's position. He bluntly asked Richardson for his position."

"Richardson definitely assured Zigler that he is supporting more than just custodial care. Richardson said we would meet the needs of children. We would not consider babysitting."

Another meeting participant familiar with Zigler's concern said the OCD director is not worried about Richardson's commitment to purchasing quality care.

Zigler's problem is with other people in the department who, he believes, have not gotten the message of the President's commitment to nurturing the first five years of life.

"He asked the question in that forum because all of the top people in HEW concerned with child care were there and he's worried about some of their attitudes. He wanted Richardson to declare his commitment before that group."

"Richardson testified to his commitment to developmental care; as long as that's where we are at philosophically, we're on the right track."

#### SENATE

The prevailing attitude toward child care in the Senate, as expressed in its votes Sept. 8 and 9, favors creation of a new federal child development program that would provide comprehensive care for participating youngsters.

In approving that concept, the Senate rejected the Administration stand on several highly volatile proposals—free child-care services for the so-called "working poor," parental veto power over local programs and a federal-local funding and administrative relationship which leaves the states with little or no role in the program.

Amendments to strip each of those provisions from the bill were offered by Sen. Robert Taft Jr., R-Ohio.

In an interview, Mondale cited three factors that accounted for the solid Senate support of his program: "The dramatic new trend of working mothers, the drive to get welfare mothers employed, and the growing belief that justice for the very poor child requires developmental assistance during the first five years of life."

#### FREE SERVICES

Taft's effort to limit free services to families with incomes below \$4,320 a year—rather than the Senate figure of \$6,960—reflected an Administration concern over future program costs.

The Senate Labor and Public Welfare Committee chose the higher income figure to ensure a mix of children in the program from different income levels and to develop a middle-class constituency for child-care centers.

One Mondale aide said privately: "It's pretty easy to keep a financial lid on programs that deal just with the poor."

According to HEW, there are 10 million children from infancy to age 14 in families with incomes below \$4,320; there are an estimated 18.7 million children in families with incomes below \$6,960.

Sen. Richard S. Schweiker, R-Pa., ranking minority member of the Employment, Manpower and Poverty Subcommittee that reported the bill, opposed the Taft amendment.

"The issue here is very simple and quite clear," he said. "It is whether we are going to offer some opportunity for educational hope to the whole realm of middle-America families in the \$4,000 to \$6,900 range." The Senate rejected the amendment, 20-44.

#### PARENTAL CONTROL

The Administration is concerned about the power parents would have over child-care programs under Mondale's bill.

HEW officials privately raise the specter of protracted confrontations between parents and public officials similar to those that surrounded poverty programs in the 1960s.

Mondale proposes to give parents a voice in the program through local Child Development Councils.

Taft sought, through a second amendment, to diminish the influence of the councils and make them largely advisory. The Senate bill gives them "supervising, coordinating and monitoring" authority.

"The risk of strong parental involvement is not nearly like the risk of developing custodial facilities for children that are run by professionals," Mondale argued.

The amendment was rejected 17-41. Prime sponsorship: Like the Head Start program, the prime sponsorship plan would create a federal-local pattern of funding and administration, a relationship Taft sought to break up with an amendment that would limit sponsorship to governmental units serving at least 100,000 persons.

Sen. Gaylord Nelson, D-Wis., chairman of the reporting subcommittee, said: "In my state there are dozens and dozens of smaller communities just as qualified to manage effectively a broad-based child development program as the cities of Milwaukee or Madison, which would be the only two cities in my state which qualify under this amendment."

The amendment was rejected by voice vote.

Long plan: Senate supporters of the Mondale proposals used the OEO extension as the vehicle for the child-care measure largely because it expedited its passage in the face of concern over a proposed federal child-care corporation introduced by Sen. Russell B. Long, D-La.

One Mondale aide said privately: "There is a sense of urgency both to pass good child-care legislation and also because of an awareness that other legislation far less desirable—HR 1 and the corporation—have been introduced. We have to get there before Russell Long's bill comes along."

Long's bill reflected his frustration over the inability of the HEW and Labor Departments to develop more child-care programs for welfare mothers.

His proposed corporation would have three sources of funds with which to operate: a \$500 million loan from the U.S. Treasury to initiate a revolving fund; revenue bonds which could be sold to finance construction of facilities; and fees paid for child-care services. Long, who is chairman of the Senate Finance Committee, first introduced the bill as an amendment to a social security-welfare bill (HR 17550) during the 91st Congress. Mondale supporters struck the plan from the bill, 41-38.

During the debate, Mondale said of the Long plan: "The basic philosophy underlying the proposal is to let the mother work and



store the children somewhere while she is working."

Long reintroduced his plan as S 2003 this session and held hearings on it Sept. 22-24.

When he introduced the bill June 4, Long said that states have lacked the "administrative organization, initiative and know-how to create and provide child-care services. . . . In other words, the present method of simply providing 75 per cent matching funds to the states and hoping that child care will become available has been disappointing."

Richardson opposed Long's bill in testimony Sept. 22, saying that, while it was an improvement over the earlier version, it still "would only duplicate much of the work now being done by HEW and by state and local governments," and would result in "an enormous waste of time, talent and money."

Richardson was careful not to foreclose the possibility of a compromise, however. The Administration cannot afford to adopt a hostile position to the proposal while its welfare reform proposal remains before Long's Finance Committee.

#### HOUSE

Brademas and the cosponsors of his bill were forced to walk a careful path to the House floor to preserve a bipartisan coalition that had nurtured the bill through committee.

A series of events on the floor shattered the coalition. The split did not block the bill, but it could cause problems in the future.

Said a Brademas aide: "The bill has taken on a Democratic flavor, and that could be trouble for the program if we have to live through five more years of a Republican Administration."

Coalition base: One element considered by the Brademas coalition involved the size of governmental units, eligible to serve as prime sponsors of child-care projects.

Although Rep. Perkins, chairman of the House Education and Labor Committee, sought to let governments of any size qualify, the coalition settled on a figure of 100,000 population as the eligibility cut-off.

Perkins maneuver: According to several Capitol Hill staff members, Perkins planned to circumvent the coalition by holding the Brademas bill in committee until the OEO extension had been approved by the House.

Once the OEO bill was in conference, Perkins planned to accept the Senate child-care proposal, which has no population limit, and take it to the House floor for a vote.

The plan would have meant forcing the House to accept a child-care bill on which it had not previously voted.

#### QUIE

Rep. Perkins was on track with his plan until Rep. Albert H. Quie, D-Minn., sought assurance from majority Leader Hale Boggs, D-La., on Sept. 21 that the House would not go to conference on the OEO bill until Brademas' child development measure had been considered by the House.

Boggs, answering the question without knowing Perkins' strategy, told Quie on the floor: "I would be very happy to give the gentleman that assurance."

#### STRATEGY CHANGE

Perkins then rushed the child-care bill through his committee, trying once more and failing to lower the 100,000 population figure to 25,000.

Brademas also was forced to add his bill to the OEO extension as an amendment because the Senate already had acted on the OEO extension and on child care.

Final vote: On the House floor, Perkins tried once more to lower the population figure, this time to 10,000.

Rep. Edith Green, D-Ore., who has substan-

tial influence with Southern Members, spoke on its behalf, and the amendment was approved, 226-158.

Although Brademas opposed the amendment, Republican members of this coalition no longer felt compelled to stand by the compromise bill as other issues arose.

In a final move by Perkins to nail down his intent to eliminate any population limit, the chairman left Brademas off the list of House conferees.

#### INTEREST GROUPS

Washington representatives of organized labor and civil rights groups formed the nucleus of the lobby that pressed for congressional passage of child-care legislation.

Members of the cadre were Kenneth Young, assistant director of the AFL-CIO's Department of Legislation; Evelyn Dubrow of the International Ladies' Garment Workers Union; Jane O'Grady of the Amalgamated Clothing Workers of America; and Marian Wright Edelman and Richard D. Warden of the Washington Research Project Action Council.

The council is a public-interest lobby group; Warden formerly worked in the AFL-CIO's legislation department.

Other organizations active in the child-care coalition included Common Cause, the League of Women Voters of the United States, the Leadership Conference on Civil Rights, the National Council of Churches, the National Education Association, the National League of Cities-U.S. Conference of Mayors, the National Welfare Rights Organization and the United Auto Workers.

Organized labor's representatives showed their influence with Democrats on the House Education and Labor Committee late last session in working to block the child-development legislation that Brademas had reported from his subcommittee.

Labor's representatives objected to the bill on the grounds it granted states too large a role in overseeing local child development programs. The bill never was considered by the full committee.

Again in the 92nd Congress, Brademas and his chief cosponsors have been engaged in a running debate with Washington representatives of the organizations in the coalition on the same issue.

The coalition sought to shape the Brademas bill in a fashion that would leave states with virtually no role and ensure a decision-making role for parents.

Brademas, seeking to preserve Republican support for his bill, withstood what one Capitol Hill professional described as "unbelievable pressure" in sticking with the 100,000 population limitation.

"Brademas was fighting people who, under other circumstances, are his friends on the Hill—the civil rights groups, the labor people," the aide said. "He stood his ground to hold onto guys like Quie, Dellenback and Hansen (Rep. John Dellenback, R-Oreg., Rep. Orval Hansen, R-Idaho)."

Mrs. Edelman testified May 25 before Mondale's Subcommittee on Children and Youth. She expressed, in essence, the position of the coalition in respect to state involvement.

"If we turn child development over to the states as state control proponents urge, then in certain areas of the country, particularly in the South, we would be effectively writing off participation of experienced community groups which have developed expertise in this field through their involvement in project Head Start.

"We will be placing in the hands of state bureaucracies—where the poor have the least influence and where there has been great reluctance to comply with the nondiscrimination provisions of the Civil Rights Act of 1964—the control of the program," she said.

The coalition's members, who worked closely with Mondale and Brademas in developing their respective bills, sided with the

Senate version in the end because it authorized an unfettered federal-local funding and administrative relationship.

#### STATES

The child development issue was largely ignored by the nation's Governors.

Although the federal-local relationship which would likely be created under the program is extremely distasteful to the states, the Governors mounted no lobbying campaign to upset it.

The Governors were operating from a position of weakness. Congressional Democrats and the pressure groups staunchly opposed granting a role to the states. And the Administration, the strongest force working on behalf of a significant state role, was silent on the question for too long.

Govs. Calvin L. Rampton, D-Utah, and Arch A. Moore Jr., R-W. Va., testified before Brademas' subcommittee on behalf of a significant state role. Brademas sharply criticized all states' lack of "initiative and leadership" in developing child-care centers.

Brademas said it is not "until the federal government shows some initiative and leadership that suddenly the state governments, especially the Governors, come along and say, 'Wait a minute, we want to spend the money.' And nobody paid much attention to early childhood programs until Head Start came along."

A leading Republican sponsor of the Brademas bill said it has been difficult to pull Governors into Washington to testify on the issue. An official at the National Governors' Conference said its Washington office has been hesitant to beckon Governors to Washington because they must face unfriendly committees whose members already have determined their positions in respect to state involvement.

In the Senate bill, the HEW Secretary would be authorized to award grants to states to identify child development goals and needs within the state. States also could assist in the establishment of local child development councils and perform other limited functions, but they would have virtually no power over the control of federal funds or program content. No provision for these grants is made in the House bill.

Mayors: Few mayors have been active in the child-care issue either, but their Washington lobby has taken part in the ad hoc coalition, seeking to cement a strong role for the cities.

The mayors' Washington representatives were forced to swallow their opposition to granting parents virtual veto power over local child development programs in order to support the Senate-passed bill.

#### OUTLOOK

If Congress approves legislation that is regarded by the White House as too expensive, the President will be forced to make a tough political judgment on whether to sign the bill.

Democrats are certain to accuse him of reneging on his 1969 commitment to child development if he decides that the bill is unacceptable.

Should the proposal become law, a new vista of federal involvement will open in the preschool education of the nation's children.

Congress has sought to picture that involvement as more than just another effort to lend a hand to the nation's poor. While doing that, the program also is meant to provide care to families in the higher income brackets.

If the program succeeds in melding these economic classes, it will provide a vehicle for development of a potent children's lobby.

#### TIMELY CHILD DEVELOPMENT ARTICLE

Mr. Speaker, yesterday I inserted into the RECORD several editorials which endorsed the child development program. Today I would also like to include an

article which appeared in yesterday's Washington Post:

[From the Washington Post, Dec. 1, 1971]  
PROGRAMS BEFORE CONGRESS THIS WEEK—A  
NEW PUBLIC ATTENTION TO PRE-SCHOOL  
CHILD DEVELOPMENT

(By Alice M. Rivlin)

In the United States, public concern for a child's welfare generally does not become evident until he reaches age 5 and is eligible for kindergarten. Even then the public responsibility usually ceases at 3 o'clock in the afternoon.

But these attitudes are already changing. The next few years are likely to see a burst of public attention to the vital years between birth and 5, rapid growth of all-day programs for pre-school children with working mothers, and recognition that the day does not end for a school-age child when the 3 o'clock buzzer signals that classes are over.

The big questions will be: what character will these new programs have? Who will run them? And who will pay for them? When the Congress votes this week on the OEO bill, it may begin to provide the answers.

The bill extending the life of the Office of Economic Opportunity, just reported out of the House-Senate conference committee, contains a new Title V, for "Child Development Programs," meaning a wide variety of services to children such as all-day care for preschoolers, after-school and vacation programs, nutrition, medical, dental and psychological services, and education for parents in child-care and development. The bill authorizes \$2 billion for such programs in fiscal year 1973, including \$500 million earmarked for continuation of Headstart. The money would be allocated among the states in accordance with a formula, but administered primarily at the local level. Communities with 5,000 or more people could be "prime sponsors," applying directly to the federal government for money. The prime sponsor would be required to have a Child Development Council, half of whose members would be elected by parents, and individual projects would be run by Project Policy Committees composed of parents and local community members. The bill would make child development services available free to those with incomes of less than \$4,320 a year (for a family of four) and would establish a fee schedule related to income for families with more resources.

While there is some vagueness about what "child development" actually is—partly because the framers of the bill were eager to preserve flexibility and choice at the local level—it is very clear what this program is not. First, it is not just a babysitting operation to provide custodial care for children while their mothers work. The bill emphasizes the well-being of children and the comprehensive services they need for full development, whether their mothers work or not. Second, it is not just another program for the poor. Priority is to be given to "pre-school children with the greatest economic and social need," but the intention is to make services available to families at all income levels with those above the poverty line paying part of the cost. Third, it is not just another welfare program. The "prime sponsor" mechanism and the parent councils are specifically designed to by-pass the state welfare bureaucracies and give the beneficiaries of the program a real voice in its operation.

Several different groups are pressing for federal programs for children, for different and not entirely compatible reasons. Some are primarily motivated by a desire to reduce the welfare rolls. They believe day care should meet minimum standards of health and safety so the children do not come to harm,

but that its main objective ought to be to keep children out of the way so that their mothers can earn wages rather than welfare. A second group is primarily concerned with overcoming the damaging early handicaps of children from poor families. Headstart, which reaches many 4- and 5-year-olds, but usually for less than a year, has proved too little and too late. There is accumulating evidence that children develop rapidly in the first three years of life, that good nutrition and mental stimulation at this age make a difference—at least if they are sustained. A third group, the voice of women's liberation, sees attractive stimulating day care centers as a way of giving all women, not just the poor, a genuine choice between childcare and work outside the home. And finally, there are those whose primary motivation is to mobilize community action in the ghetto, the rural South or on Indian reservations, who believe parent involvement in decision making about Headstart programs did as much for parents as for children, and who see community controlled child development programs as a good vehicle for the poor to use in acquiring political experience and challenging the "power structure."

The focus on reducing welfare rolls is reflected in H.R. 1, the Nixon-Mills welfare reform bill that has passed the House, but not the Senate. Under H.R. 1, a mother on welfare could be required to take work (unless she had a child under 3) provided day care was available. Senator Long, no enthusiast of the administration's welfare reform proposals, has held hearings on his own bill to provide custodial day care to the poor through a public corporation.

But while welfare reform was bogged down in the Senate, bills for more comprehensive but entirely voluntary child development programs were making their way through the legislative obstacle course on both sides of the Hill. Senator Mondale's Child Development Bill, incorporated into the OEO amendments, stressed comprehensive services and community control and would have provided services free to families with income under \$6,920 with a sliding scale of payments for families with higher incomes. On the House side, a similar bill, sponsored by Representatives, Reid, Brademas and Mink, but giving more role to states and less to localities and parents, was added to the OEO extension as a floor amendment. When both bills passed and went to conference, the administration voiced concern about their cost and threatened a veto. To avoid a veto, the conferees lowered to \$4,320 the income level below which services would be free and adopted a moderate scale of payments for families with incomes between that level and \$6,920 (above that level the Secretary of HEW would set fees). The language of the Senate bill was modified to give a little more role to the states and rule out communities with less than 5,000 people as prime sponsors.

The bill now moves back to the two floors where it may encounter Republican opposition especially in the House. Republican unease is related not to cost, but to the bypassing of the states. If the bill passes, there is still the possibility of a veto, although it would surely be politically costly for the President, who has put such personal stress on the dignity of work, to veto a bill which promises to make work possible for millions of women and better the lives of children into the bargain.

Strident right-wing opposition to the bill has developed on the grounds that "child development" sounds like a 1984 attempt of the state to take over the role of the family. This criticism is pretty far fetched since participation would be entirely voluntary and the bill gives parents much more control over the new programs than they have over present public schools.

Criticism of the administrative mechanism

has more substance—having all those "prime sponsors" deal directly with Washington hardly seems like an ideal administrative setup. Unfortunately, however, state administration, especially in the Deep South, has so often proved insensitive to the needs of poor and minority children that direct funding may be necessary—at least for a few years.

To the criticism that these programs will be costly in the long-run there is no answer, except "yes." The bill to be voted on authorizes spending \$2 billion a year for two years on the assumption that participation in the programs will be far from universal, a reasonable assumption in view of difficulty of organizing and staffing good programs quickly. In the longer run, however, it just has to be recognized that providing first-rate services to preschool children and adding after-school activities for older children is going to be expensive—\$10 billion a year could be spent easily. The cost to the taxpayer can be reduced if middle and upper-income people pay fees, but these fees cannot rise too steeply as income rises without reducing incentives to earn more income. (The effect is the same as a high income tax rate.) In the long run, there will be no cheap way to do a good job. If the Child Development Bill becomes law there will at least be a hope that federal funds for day care will be spent primarily to meet the needs of children, not just to keep them busy while their mothers work.

#### FURTHER ARTICLES AND STATEMENTS

Mr. Speaker, at this point I insert other articles and statements concerning the comprehensive child development bill:

[From the Washington Star, May 24, 1971]

#### CHILD CARE PLAN CONSIDERED FOR HIGHER INCOME FAMILIES

(By James Welsh)

The Nixon administration, caught in a political squeeze, is considering a plan that would provide free child-care services not only for welfare mothers but for a higher-income group of the working class.

Secretary of Health, Education and Welfare Elliot L. Richardson, who was to have testified Friday before a House subcommittee on the controversial issue of day care, abruptly cancelled his appearance the evening before. He is now scheduled to testify this week.

"We haven't quite got it together yet," said one of his top aides in explaining the postponement.

At issue, in part, is whether the White House is willing to extend its day-care commitment to millions of families in the lower-middle income range, families in which many wives work.

#### LIMIT ON COMMITMENT

So far it has not done so, preferring to limit the commitment to its efforts, contained in the Family Assistance Plan, to get welfare recipients to work.

But it is faced with Democratic alternatives in both the House and Senate that would go far beyond that, offering free day care to a family of four with an income of \$6,900 and partial subsidies to families above that income mark.

In the meantime, the White House has embraced a principle in day care financing that will surprise many liberals.

It has decided, where possible, that mothers should be able to use a "voucher payment method" in spending federal day care assistance to purchase day care services.

This would extend a maximum of consumer control, giving mothers hundreds or thousands of dollars each of purchasing power in the day care field. With vouchers, they could shop in the open market for the day care program they believe would best suit their children.



The day care issue has political significance that is readily recognized by administration officials.

#### \$1,600 PER CHILD

Government programs in recent years generally have failed to reach the working class in the \$4,000-to-\$10,000 income range. Most observers believe a massive day-care program would be highly attractive to this group.

But such a program would be enormously expensive. HEW now is using the figure of \$1,600 as the cost of all-day, year-round care of one child, and the cost of a large, national program would run into the billions of dollars.

Administration insiders say Richardson may well get the go-ahead to offer a new, expanded proposal. Said one:

"It's up in the air at this point. Do we go further, and how much further? And that's not the only question. Another is one of nuts-and-bolts administration. What's the best way to run a program that could involve thousands of day-care centers and agencies running programs for millions of pre-school and school-age children?"

"The Democrats have come up with what looks like a sexy system. But we're not sure. A program like this, if it's not established right, could turn into an administrative nightmare."

The administration's position on vouchers for day care was stated in a largely ignored part of President Nixon's response last week to a series of demands by the Black Caucus in the House. It said:

"The administration presently favors the voucher system because it will give the consumer control of the funds and thus of the programs."

At another point, the document said: "Too many federal programs targeted on the disadvantaged have resulted in excessive administrative costs and reduced benefits for the intended recipients. By using vouchers, the full amount of the individual's grant will be available for the purchase of services."

An HEW official today confirmed the administration's decision to go with the voucher system.

This is not, however, at the heart of the dilemma facing the White House in taking a position on legislation House and Senate Democrats have introduced.

#### DEMANDS FOR REFORM

Both Republicans and Democrats have hurried into the issue because of the demands of welfare reform that the White House and Congress are pressing. Everyone concerned agrees that one of the great barriers to putting welfare mothers to work is the difficulty of their finding day-care services they can afford.

The Family Assistance Plan, now going to the House floor after its approval by the Ways and Means Committee, provides \$386 million in federal funds to help establish a day-care system.

Measures introduced by both Sen. Walter Mondale, D-Minn., and Rep. John Brademas, D-Ind., would offer free day care for children where the income for a family of four is less than \$6,900, far above the cutoff point for subsidies under the Family Assistance Plan.

The Mondale bill would provide \$13 billion over four years for day care, while the Brademas bill contains no fixed spending authorization. The Mondale bill also contains strong provisions for parent control of what kinds of day care programs are established, along with greater opportunities for cities to compete with states as prime sponsors of day-care facilities.

Of the two bills, the White House favors the Brademas legislation. But it would rather have its own proposal, and that is what is at stake in the debate taking place within the administration.

[From the South Bend Tribune, Mar. 23, 1971]

#### VOICE OF THE PEOPLE: CHILD CARE

Concerned Parent, who expressed her views several days ago regarding the proposed child care centers, astounded me with her statement that "if a poll were taken, we would find that those young people . . . causing the most trouble in our country are the ones who were left with baby sitters . . . and deprived of love by their parents."

The assumption that children are loved just because their mother is home 24 hours a day is a myth. Obviously, many children grow up to create problems for themselves and society because they were neglected and left indiscriminately with anyone who happened to be handy. But on the other hand, any public or private school teacher, counselor, or administrator could tell you of innumerable cases of mixed-up and messed up children who had a mother in the home 24 hours a day.

In many cases, the "love" Concerned Parent mentioned is distorted and negative. Mother spends her days at home feeling bored and neglected. Often a child is nagged at, yelled at, rejected, and often spanked or punished at frequent intervals; the nagging and punishment, in cases like these, are not because the child has done something for which he should be reprimanded, but because his mother feels anger and dissatisfaction with her own role in life.

We cannot blame the social problems of today's youth solely on the working mother any more than we can blame them on the neurotic mother such as the one described here.

Let us not make glib statements such as Concerned Parent made—that is unless she has taken that poll and found some positive correlation between working moms and wayward kids!

[From the Kansas City (Mo.) Star, Mar. 8, 1971]

#### HEAD START BETTER THAN EXPERTS THINK, OFFICIAL SAYS

(By Stephen C. Haynes)

The Head Start program has been saved from the attacks of "professional evaluators," but much remains to be done in the area of child development, Dr. Edward F. Zigler, director of the Department of Health, Education and Welfare child development office, said here last night.

Zigler, a Kansas City native, spoke to about 350 persons at the annual founders dinner of Congregation Kehilath Israel Men's club. Formerly a professor of child psychology at Yale university, he was appointed to his present post by President Nixon in June.

Although Head Start is the most important single program for child development in the United States, he said, it reached a peak in 1967. Several studies of the program about that time, he said, reached negative conclusions.

"I don't think we should pay that much attention to experts," he said. "What they say at any one time is about one-half sense and one-half nonsense."

Zigler said the goal of raising children's I.Q. levels had become too predominant in evaluation of the program. Head Start was achieving results, he said, but not always of the kind which could be measured by tests or which would stay with the child after he left the program.

"Head Start is a competence-producing program," he said. "What we want is competent citizens, not a group with I.Q.s over 140. And no child can go from a good Head Start program to a lousy school and retain all he has learned. What do you expect?"

Even though Head Start has been a success, he said, more extensive programs are

needed. The United States has a poor record in the area of child development as compared with other Western nations.

"We like to say that children are our most important natural resource," he said, "but we mistreat this resource as much as we mistreat the others. Children come last in our thinking."

Millions of children in the U.S. are hungry, unhealthy, uncared for and ignored. Institutions for children are inhumane by European standards, he said.

The U.S. must provide day care centers in increasing numbers to meet the needs of changing cultural patterns in which children receive less and less care from parents, Zigler said.

"There is no cheap way to maximize the development of children," he said. "Programs must take all the way up to age 18 to 20. We can't let up after five weeks (as Head Start does)."

Although day care is an important area which must be developed, with more than 50 per cent of all mothers of children working, parents must be encouraged to take a more active and knowledgeable role in their children's development, he believes.

"If nothing else, women's liberation will see to it that we have day care," Zigler said. "I know it is coming, but I am apprehensive. I am concerned that we may destroy family life."

He advocated programs to teach young persons the basics of child development and parenthood so they could develop more interest in their children and know more about rearing them. Such programs, he said, were being developed by his office.

"I am still of the opinion that the best place to raise a child is at home with a loving mother and father," he said. "But there is a sense that mothers and fathers are becoming extinct."

Head Start is a good program, he said, and will receive more money under the proposed fiscal 1972 budget than ever before, but other programs will not be realized unless citizens demand them. These programs, he added, should include all children, not just the poor.

"The problems discussed at the 1930 White House Conference on Children were the same as those discussed at the 1970 conference," Zigler said. "Nothing has changed. It's just that once every 10 years we have a conference and discover children."

[From the Washington Daily News, Aug. 27, 1970]

#### HEAD START HIT AS SOCIAL BLIGHT

Head Start and similar poverty programs, as they stand now, are tearing society apart and contributing to social polarization, the new national director of Headstart said today.

"It's an egregious error to set up children's programs in this country for specific sections of the population," Dr. Edward F. Zigler told UPI in an interview. "We can't continue programs that send poor kids one place and rich kids another. That's what is causing polarization in our society today."

"We've got to find a way to bring the society back together and one of the places to do it is with children in programs like this," he said.

#### WHAT IT IS

Headstart is the preschool program which offers medical, nutritional, educational and other services to give children with poor parents a boost before they start school.

Headstart regulations have permitted only a 10 per cent involvement of children not considered poor.

Mr. Zigler said he did not want to discard Headstart but wanted to broaden its services and make it available to other social and economic groups. He said he hoped the President's proposed welfare reform, now stalled

in the Senate Finance Committee, would give him the opportunity for expansion by providing new day care services that could be combined with the Head Start services.

"The 10 per cent allowance is not enough," Zigler said.

He indicated he would seek a change in the rules if necessary. "One of the reasons people have turned against Head Start is the old sour grapes bit. They can't have it, so why support it."

Middle class parents want the same services for their children the poor want, he said. And each group could benefit from the mix.

#### FROM YALE

Mr. Zigler, 40, is a former director of the Yale University child development program. He was named in June as the first director of a new Office of Child Development, which administers Head Start and other programs.

After criticizing Head Start in the interview, Mr. Zigler called it "one of the most revolutionary social action programs I have seen in my lifetime."

It has served not only the children well, but the parents and society also, he said. He cited one survey which he said demonstrated that 90 to 95 per cent of the parents of needy Head Start children find the program beneficial. "Think of that kind of support for a government program," he said.

"Let's protect the good in Head Start, make it better, but open it to a broader spectrum of services for children," he added.

[From the New York Times, Nov. 30, 1970]

#### DAY CARE: DEMAND OUTRUNNING GROWTH

(By Nancy Hicks)

Universally available day care for American children is inevitable, experts in the field say. They note that women, who make up 38 per cent of the work force, want and need it, and that many politicians back it.

But widespread disagreement over goals and over methods of implementation is hindering planning. This, in turn, means that day care is not becoming available at nearly the rate needed.

There are more than 11.6 million working mothers in the country today, more than 4 million of these with children under 6 years old. However, only 640,000 licensed day care spaces are available. More than one-third of these are privately run.

"Some mothers have always worked and arranged to have their children cared for," said Jule M. Sugarman, chief of New York City's Human Resources Administration, which supervises the city's day care programs.

"But people often live with whatever setups they can arrange. As soon as something else comes along, they take it. This is what is happening with day care," said Mr. Sugarman, the former acting head of the Office of Child Development of the Department of Health, Education and Welfare.

But it is becoming obvious to educators, psychologists and social scientists that before any major expansion comes about, serious problems must be overcome. The most basic decision ahead is whether day care will be custodial care or a form of early education.

Ideological leaders in the field have decided that day care is to be more than adult supervision geared, for example, to merely making certain that children do not stick their fingers in electric sockets while Mother is working. If these leaders' goals are realized, then expansion will have to be slow and expensive.

It will require the training of a cadre of personnel to teach children and to work with their parents. Centers would have to be built or renovated. A "quality program" also would have to provide meals, medical services and research units that would study the effects of group education on very young children.

Using the current average Federal expenditure for early childhood programs, it is esti-

mated that this combination of services would cost \$1,600 a year a child. This compares with an annual school cost of \$870 a year a child, according to the latest figures of the National Education Association.

Even with supportive services and sound educational programs, some psychologists fear, day care for the very young might become impersonal and institutionalized.

Some earlier studies of child-rearing environments—including those conducted by Dr. Eleanor Pavenstedt, a Tufts University psychoanalyst, on failure-to-thrive infants—have shown that these characteristics retard development.

But against these financial and ideological concerns is a pressing need.

A Department of Labor study in 1964 showed the arrangements that 6.3 million working mothers made for their 12.3 million children under age 14.

#### MANY WITH RELATIVES

Half of the children were cared for in their own homes, usually by another relative. One third were cared for in someone else's home. Thirteen per cent were watched by their own mothers during work, as might happen with a proprietor of a small store. Close to one million children, or 8 per cent, cared for themselves. These are the so-called "latch-key kids" who wear their house keys around their necks. Only 2 per cent of the mothers were able to find group day care centers.

The disparity between supply and demand has brought together traditionally warring factions in politics and education and set in motion a day care movement. Workers for women's rights are petitioning employers to begin on-premise centers for their children. Community groups are meeting at night to plan all-day and after-school centers in their neighborhoods. Mothers are setting up co-operative babysitting arrangements aimed at teaching the child as well as providing custodial care.

More organized efforts are being waged by groups like The Day Care and Child Development Council and the National Council of Negro Women, both in Washington.

Legislators have introduced a variety of bills into Congress to fund expanding services.

Economists and social scientists offer some specific reasons why day care has become such a popular issue. They include the following:

The dramatic increase in the number of working mothers, which has created a day care need that has outpaced the ability of society to handle it through informal arrangements. Forty per cent of mothers work today, compared with 1 per cent in 1940, according to Department of Labor figures. These figures are expected to increase by 30 per cent more by 1985.

The recent acceptance by industry and husbands of the movement of women out of the home and into the labor force.

Changes in the American family which used to be large and centrally located but which today is so widely spread around the country that the mother often needs day care, sometimes for illness or family crisis, aside from the workday applications.

#### HEAD START AS MODEL

Estimates that in the next few years, one child in 12 will grow up in a family with only one parent, because of divorce and other factors.

Acceptance by mothers of reports alleging the importance of very early education. This has particularly created support by centers that stress teaching.

Within this educational framework, there are several existing programs that could provide models for larger programs.

Head Start, the Federal preschool program for poor children, provides many all-day educational settings that would equal day care

for a working mother. Boards of education in localities have pre-school programs that serve the same purpose.

Departments of social services offer day care for working mothers under Title IV of the Social Security Act of 1962, which provided funds for these centers.

More than 120,000 children are being cared for in what are called Family Day Care Homes, which are sponsored jointly by local social services agencies with money from the Federal Government. Under this arrangement, poor mothers are taught to care for children by educational specialists who provide them with equipment in their homes and "lessons" to teach the children. In this way, that mother becomes a skilled worker in addition to providing a service.

While the above are all public programs, voluntary and private groups provide variations on the same themes.

The Office of Child Development has assumed the job of looking at the various programs and setting the standards for what day care in America should be.

#### ZIGLER FAVORS CHOICE

Its director, Dr. Edward Zigler, one of the original Head Start planners, likes the varied approach now being used because it gives mothers a choice of settings. As a back-up, however, the Office of Child Development is testing some of these approaches in 32 parent-child centers developed by several universities.

"We really can't set up more day care overnight," Dr. Zigler said. "We have neither the staff nor the facilities to do so. We must expand existing frameworks. The Head Start orientation is good. A giant step would be the passing of the family assistance plan."

This embattled legislation is the President's plan to reform the nation's welfare system. It includes day care expansion. While many educators oppose the compulsory work provision of the plan, they see administrative commitment to 450,000 new day care spaces as a first step in expanding services.

"It is absolutely mandatory to develop a new cadre of people whose training is directed at raising children," said Dr. Zigler. "The Russians have them. They call such people 'upbringers.'"

The Russians, Israelis and Swedes have for years had mass day care programs for working mothers. While cultural differences have made it impossible to transfer their programs directly to American situations, they have shown that such widespread programs are possible to operate.

There is a consensus among the educators and economists studying the situation that if day care is going to work on a universal basis, the Government is going to have to pay for the majority of it simply because the size of the problem is larger than the private sector's ability to solve it.

A number of Congressmen have introduced bills that would create day care in addition to the family assistance plan.

Representatives John A. Brademas, Democrat of Indiana, and John R. Dellenback, Republican of Oregon, have introduced a bill that would repeal Head Start and hand control of operations over to a state agency that would receive most of its money from the Federal Government.

A bill proposed by Senator Walter F. Mondale of Minnesota calls for the expansion of Head Start over the next five years from a \$320-million a year program to a \$5-billion a year program.

A third bill, proposed by Senator Russell B. Long of Louisiana, would set up a Federal Child Care Corporation that would create, but not pay for services.

Private efforts to solve the problem have been met with some skepticism. Several years ago, entrepreneurs, including several foot-



ball stars, talked about setting up franchises. But because of the expense of running quality programs, most have left the field.

One private effort has received some praise from educators, however. This is the Educare project of the Universal Education Corporation of New York. It has signed a contract with the Pennsylvania State Department of Education to set up centers in four cities and hopes to expand from there.

Private industry has provided facilities for the children of employees on a very limited basis. A 1968 survey by the Department of Labor showed that fewer than 150 industry-sponsored centers were available and more than 100 of these were in hospitals.

The Amalgamated Clothing Workers Union in Baltimore and Chicago has extensive programs, however. So do KLIH Research and Development Corporation of Cambridge, the Whirlpool division of RCA, and the Department of Labor itself.

#### FRUITFUL CULMINATION ANTICIPATED

Mr. Speaker, the child development program is a crucially important piece of legislation endorsed by the groups I have listed. The program is the result of 3½ years of dedicated work by both Democrats and Republicans. I look forward to the culmination of our efforts by the passage of this outstanding comprehensive child development program.

#### THE POWER TO ADVISE AND CONSENT

The SPEAKER. Under a previous order of the House, the gentleman from Michigan (Mr. CONYERS) is recognized for 1 hour.

Mr. CONYERS. Mr. Speaker and my colleagues, in considering the nominations to the Supreme Court, no one would, of course, deny the Presidential prerogative of examining a potential candidate's philosophy before placing his name before the Senate for confirmation. Nor is there any requirement of the kind of philosophy a nominee should espouse. However, it also follows that—and on this I think there is a great deal of misunderstanding—there is nothing to preclude the Senate from making the same examination. Indeed, to the contrary, I suggest that they have a responsibility to do so.

Many of the Founding Fathers feared that nominal advice and consent of the Senate on nominations to judgeships would create a dependency of the judiciary on the executive. It was their intent to make the judiciary independent by insisting on joint action of the legislative and executive branches on each nomination. Consequently, as Charles Black, a professor at Yale Law School, indicated, such inquiry into the philosophy of a nominee is consistent with the Senate's constitutional duty of advising on Presidential nominations.

So I would submit to this body and to our friends across the aisle and across the chamber that the responsibility in nominating a member to the Supreme Court is equal upon the Senators and upon the President to examine the qualifications of said nominee.

Mr. BADILLO. Will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from New York.

Mr. BADILLO. I commend the gentleman from Michigan for his statement. I think it is important that we begin to draw attention to that particular responsibility to which he refers; that it is not merely a question of identifying particular characteristics of an individual, such as points of view with respect to racial matters which may have been extreme or any financial difficulties, but also the question of evaluating the individual's whole character. Is not, then, from that point of view, it the responsibility of the Senate, just as great as it is that of the President, to evaluate the total character of the individual before confirming an appointment?

Mr. CONYERS. May I say to the gentleman from New York (Mr. BADILLO) an able member of the bar himself, that this is precisely the focus of these remarks today in this Chamber.

Of course, what I am hoping to develop—and I have had the honor of testifying before the Senate Judiciary Committee on this matter—is a notion, which I am not sure is well understood in that body. Beyond a nominee being technically competent in the law, additional criteria are imposed by the constitutional mandate on the Senate to advise and consent to the President upon this subject.

That is to say, if I may go back a couple of unsuccessful nominations ago where we had one nominee who had a conflict of interest problem and was found unfit to sit and was, therefore, rejected by a majority of the Members of the Senate, there was a clear specific instance.

In another matter of a nominee sent before the Senate for their advice and consent who again was rejected, there was clear a background in his record of racist statements, of a segregationist position so inconsistent with fulfilling the mandate of the Constitution that it was clear in view of a series of specific instances that he was unqualified to sit as a member of the highest Court in the land.

Mr. BADILLO. Mr. Speaker, if the gentleman will yield further, in other words, the difference is that the responsibility of the Senate in this regard is not merely to examine the history of the individual to determine that there is something objectionable to him, but also to find out if there is something positively good about him as well. It is somewhat like the rule we have in the law about what constitutes a good reputation. I do not remember the quote, but someone once said that a man who had a good reputation was someone that nothing bad had been said against him or was someone who had nothing good said for him. I do not think the Senate would want to establish this as its approach to the consideration of such nominees.

Mr. CONYERS. The gentleman is precisely correct.

Might I suggest if we look at the constitutional language that is the basis for determining what the rule of the Senate is in this matter, it is quite clear that the President shall nominate, and by and with the advice and consent of the Senate, shall appoint judges of the Supreme

Court. Now, does that suggest a nominal function? Does that imply in any way that in advising and giving their consent to the nominees that their ruling is in any way subordinate? I would suggest, and indeed persist in this point because of the importance of the questions of the day. Indeed it will determine the way that this Government shall impart its meaning of the laws to many millions of its citizens, its minorities more particularly. They should know that the U.S. Senate with each Member voting has not only a responsibility in deciding to consent, but to fully advise the President upon this very weighty matter, and that their responsibility is fully equal; it is not in any way subordinate.

That leads me to conclude—and as it does other scholars on this constitutional question—that they must give their consent as well as their advice on precisely the same matters that the President himself considers when making the nomination and sending it to the Senate. If they were to do any less than that, they would not be fully advising the President in this matter.

The Chief Executive Officer has the full range of choices in sending nominees of any particular philosophy that he chooses for consideration. In the case of the incumbent President, he has chosen to select nominees whom admittedly have a narrow, conservative view of the law.

In view of that right of the President of the United States, I suppose not a Member in this body would quarrel that that imposes a corresponding responsibility upon each and every one of our distinguished colleagues in the Senate to do the same thing; that is to say, that they too must examine the philosophy, the world view and the attitude of the nominee on the important matters of the day.

A nominee's views on racial matters, his position on the important economic questions of our day and his disposition to view the civil liberties questions which will be presented in more complex fashion to the U.S. Supreme Court in the days and years ahead than they have ever been presented before must be carefully weighed. So each Member of the Senate has the responsibility to ask and resolve the question that, in addition to the nominee being someone who has not done anything wrong, who does not have any blemishes on his record, who is indeed a skilled legal craftsman at his profession, the question that he must as well pass upon in his judgment whether the outlook of the nominee is going to be one that will be able to deal in a very positive way with the kind of questions that will come before the U.S. Supreme Court.

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

Mr. CONYERS. Mr. Speaker, I yield to the gentleman from New York.

Mr. BADILLO. Mr. Speaker, in other words, if the President says that he is appointing an individual because he may bring about a certain philosophic balance to the Court, say, a conservative balance, the Senate then has a co-equal responsibility when a Senator might refuse to advise and consent with respect

to that individual because he feels that that particular balance is precisely what the Supreme Court of the United States does not need at this time in the history of this country.

Mr. CONYERS. That is a precise reiteration of the point that has given a number of us in this body grave concern about the two present nominees currently under consideration in the other body. Because even if there were no specific negative instances, if there were no blemishes on their record which I am not able to say do not exist, because they do from the view from which I approach the matter—but even if there were none, and their conservative philosophies were such that a Member of the other body would feel that their going on the Bench would put the Court in the wrong direction, the wrong thrust for the 1970's and 1980's, then they would then have an obligation, no instances of a conflict of interest, or segregation, or posture notwithstanding, they would have the obligation as equal to the President to refuse the nomination perhaps on the same ground that the President himself sought to nominate them.

And it is for this deeper appreciation of the responsibilities that devolve on that other body that I take this time to engage in what I consider to be an extremely important discussion. Because I do not think anyone can quarrel with the fact that the Supreme Court is going to play an increasingly larger role in resolving the important vital questions of race and class and war and peace in this Nation.

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

Mr. CONYERS. I yield to the gentleman from New York.

Mr. KOCH. Mr. Speaker, I want to join the gentleman in his very perceptive comments on the role of the Supreme Court and the role of the Senate in advising and consenting to the appointments to that Court.

One of the great tragedies that came out of the 1968 presidential election was that while many of us did disagree on whom the candidate of the Democratic Party should be at that time, what many of us failed to appreciate was the fact that whoever would be President would have an enormous impact outside of his regular Presidential functions, by the appointments that he would be making to the Supreme Court.

We see that occurring within the last 2 years, in the number of appointments that the President has made and is making, and in the caliber of those appointments made to a body which, in effect, in certain areas is surely equal to the other two bodies—the House and the Senate—and is suis generis in having jurisdiction over matters that never come before either of the two Houses. If the President appoints to that body, men whose philosophy is such that they cannot accept the conditions of the seventies and the eighties as they appear to be unrolling before us, and if their minds, aspirations for our country, judgments, and future actions are predicated upon a refusal to accept equality of rights and opportuni-

ties of all the country's citizens—they are not going to be able to deal with the fundamental problems which you have pointed out as being the greatest problems now facing and that will face this Nation in the coming years.

So I agree with you that while the Senate must give deference to the nominations made by the President, it cannot simply accept them on the basis that, if they are to be rejected, the evidence has to be overwhelmingly against any of the nominees. They must, as the gentleman in the well pointed out, take into consideration broader questions.

The impact that these two men on the bench will make upon our lives, will not be for a 2-year term, as the gentlemen who sit in this House do, or for a 6-year term as the gentlemen who sit in the other body do—but perhaps for 20 or 30 years in some cases. Therefore, I agree with you that what they have to do is to carefully consider all of the reasons that would go into an appointment to that Bench that all of us could be proud of.

So I join with you and with those who have spoken in the House today on this subject in urging our colleagues in the other body not simply to accept the nominations, but in the interest of all of us, to reject the two nominees and require that the President submit names that, without regard to party affiliation—without regard to political philosophy—that we can join in and say—these men for the next 20 or 30 years will serve this Nation well and in a way that we would have no hesitation in applauding their being elevated to those extraordinary and singular positions of Justices of the Supreme Court.

Mr. CONYERS. If that be the case, then it would become painfully obvious that competency as a legal technician is simply not sufficient in and of itself to ratify an appointment to the Supreme Court. Because judges by definition must sit in judgment, and they exercise what Oliver Wendell Holmes once called the sovereign prerogative of choice, that is, they must bring more to their task than a highly specialized technocracy, and what they bring to bear on each decision is the weight of their experience and breadth of their vision as well as their legal expertise.

So, what we are beginning to appreciate is that in other nominations which were rejected there were specific incidents that were sufficient cause to deter the Senate, blatant examples of racism which would obviously disqualify a nominee from going to the Supreme Court. And I might say parenthetically that that in itself is a rather new attitude on the part of the Senate. It certainly has not been a demonstrated propensity on the part of the Chief Executive, who has frequently nominated people with such defects.

But the Senate has made clear that they are now ready to reject out of hand a nominee who can be demonstrated to have a segregationist background, whose statements are so antithetical to the Constitution, to the Supreme Court decisions of the land that have emanated from the courts and to the laws passed

by this Congress, that he is in total contradiction with some part of the U.S. Constitution and is clearly unable to function with fairness and impartiality.

We have clearly now established that if you are a skilled technician in the law, have had indeed even legal experience as a judge, and yet you come with a conflict of pecuniary interest, you are obviously unable to assume the robes of the highest court in the land. But this presents a newer and a finer question, because in the assumptions under which we are speaking now, if we were dealing with men who had no such specific misconduct, each member of the other body would be required, before they give their consent, to advise the President specifically as to whether their outlook on the important questions of the day would help this court. Otherwise, the President of the United States, not in just this instance but in any instance in the future, would be able to appoint the kind of court that would be dependent and subservient to the Chief Executive merely on the argument that the Senate must nominally confirm anyone who does not have any outstandingly bad records or blemishes in their background.

I think the gentleman from New York will agree with me that this is what has created some difficulty with the two nominations before us. We do not have segregationist speeches that we can cite to you. We have some activities—for example, of one nominee who is a member of more than one segregated social club, which to me speaks to his attitude on race relations in a very real and definitive way, in a way that any self-serving statements he might make before the Senate Judiciary Committee when being considered for the nomination for the Supreme Court could not erase. But here is a nominee who is ready to say that he will belong to or subscribe to membership in a social organization which would indeed preclude another member of the U.S. Supreme Court from even going to lunch with him, a situation that would be humorous if it were not indeed the precise fact that we are considering in the nomination of Mr. Lewis Powell.

So what I am saying is that, as Felix Frankfurter said:

A justice ought to display something more than craftsmanship.

Never before in the recent period of the 1960's has the Senate been called upon to make this kind of examination. I do not say this disparagingly about our colleagues in the other body. Their workload is as heavy if not heavier than the kind that it is our obligation to carry. But it appears to me that if a Member of the other body is merely looking for a speech made by a nominee, is looking for a conflict of interest, he is only superficially making the constitutional examination that is required of him.

Because what we want to find, as Justice Frankfurter said, is:

A justice ought to display both a logical unfolding and a sociological wisdom.

Henry Steele Commager said:

The great judicial decisions are great, not because they are brilliant formulations of



the law alone, but because they embody high-mindedness, compassion for the public good, and insight into the moral implications of those decisions.

Let me bring that a little closer to home. We have a nominee who was the chairman of the board of education in Virginia during the fifties and sixties, during the height of the most massive public resistance to the Supreme Court's rulings on school desegregation that have ever occurred in any State in the Union in the 20th century. As chairman he took an oath, among other things, to uphold the Constitution of the United States, which includes, as we know the Supreme Court decisions of the land, and then during that period of chairmanship voted and supported the premise that parents who did not want their children to be subject to going to integrated schools would be subsidized. White parents would be subsidized by taxes out of the State treasury to evade the very clear responsibilities incumbent upon the board of education in that State, which the Supreme Court imposed in its decision of *Brown against Board of Education of Topeka* in May 1954, some 17 years ago. Can we suggest elevating a member who participated in circumventing the supreme law of the land to the Court that made that law of the land?

Now, I do not offer this charge lightly. I would invite my colleagues in both of the bodies to examine the record to find if there is any refutation of these charges that were made before the Judiciary Committee by an attorney from Virginia who participated in the Federal law suits suing the boards of education of a number of counties, of cities, and even of the State of Virginia, in which the nominee was named as a defendant. The attorney testified personally to the extent of the involvement of one of the nominees in this very questionable activity. I invite Members of this body and the other body to examine the record for any refutation of the charges that were made, because unless we are willing to confront the fact that one of the nominees participated in the massive resistance plans as the chairman of the school board of Virginia and even earlier as the chairman of the board of education in Richmond, Va., then I think we do less than our duty if this knowledge is before us and we do not communicate it completely, impartially, and fairly to every Member of the Senate upon whom the Constitution bestows the responsibility to advise the Chief Executive Officer on these nominations.

So there would seem to be little room to quarrel with the view that adequate legal experience and honesty alone are insufficient in reaching a determination of a nominee's fitness for the high court.

Of these requisites I contend his judicial philosophy is of the highest importance.

Might I say about the other nominee, Mr. William Rehnquist, we have evidence of a different kind. It is documented.

Here we have a nominee who in advising the President on earlier nominations drafted a letter for the President of the United States to one of the Senators, tell-

ing him that he did not have to right to fully examine the nomination that was made by him. In other words, he suggested, on one of the nominations that was eventually rejected by a majority of the Members of the U.S. Senate, in writing a letter for the President of the United States, that the Senate had something less than full, unfettered responsibility to inquire into the economic, the political, and the social views of the nominees.

This is the man we would now elevate to the Supreme Court himself.

This to me is the kind of question that needs even further examination by the Members of the Senate in making their determination.

So we see that the perception of the function of the Court, the obligations of a Justice in interpreting the Constitution, are clearly affected by his basic conviction on the socioeconomic issues of the day. It is upon this point that I have testified against the nominees currently under consideration.

I respect the view that there may be an honest difference of opinion about where this would lead. But I suggest that if everyone would approach the subject matter on the basis that the socioeconomic views should be clearly taken into account and evaluated, and if we would ask ourselves, without recourse to partisan considerations, are these the kinds of socioeconomic views that we want an otherwise technical craftsman to bring to bear as a member of the Supreme Court, and ask our Members of the Senate to cast their votes on that kind of analysis, I would be perfectly satisfied with the outcome of the vote upon both these nominees.

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

Mr. CONYERS. I yield to the gentleman from Ohio.

Mr. SEIBERLING. I wish to commend the gentleman from Michigan for laying on the record before this House some of the very important negative considerations about the two nominees who are before the Senate. Even though the House has no legal jurisdiction to deny or confirm the nominations, we certainly have a concern. We are a part of the Government of the United States. I believe we have a responsibility to see that the facts are brought out.

I am particularly concerned about the nominee Mr. Rehnquist. It seems to me that a nominee for the highest judicial office in the land should have a demonstrated passion for the Constitution, for the rights guaranteed by the Constitution, for the laws which he is bound as a justice to interpret.

I might say that the nominee, Mr. Rehnquist, has certainly demonstrated a passion for order.

But I would raise a very serious question as to whether he has demonstrated a passion for law.

We hear a great deal said about law and order, but when the sons of personal friends of mine who are residents of the city of Washington, who were walking to school one day last spring during the demonstrations, were swept up in the kind of dragnet that Mr. Rehnquist

inspired and purportedly engineered as adviser to the Attorney General merely because they happened to be in the neighborhood—maybe they were wearing blue jeans; I do not know—it seems to me that this raises some very serious questions as to whether this particular candidate has the kind of dedication to the law that he is supposed to interpret and which he will be sworn to uphold and which he has been sworn before to uphold in his present office.

This is so fundamental that until this hurdle is passed over you do not even get to his socioeconomic point of view. Yet I agree with the gentleman that that is also an extremely important consideration which should be weighed in the total package that the Senate must consider in deciding whether these nominees merit this high judicial office.

I commend the gentleman for bringing this to the attention of the House.

Mr. CONYERS. I would like to point out, as I express my appreciation to the gentleman from Ohio (Mr. SEIBERLING) that what is under discussion today is strangely enough not a new development in the turn of constitutional law; this is not a unique philosophy that has evolved out of the considerations of the 20th century. This was embodied in the very statements and writings of the Founding Fathers. Alexander Hamilton in the *Federalist Papers* made it clear in his own words that this was not to be restricted, the responsibility of the Senate in advising and giving their consent to these nominations. Here is what he said in that early day of our country's history:

To what purpose then require the cooperation of the Senate? I answer that the necessity of their concurrence would have a powerful although in general a silent effect. It would have been an excellent check upon a spirit of favoritism in the President and would tend greatly to prevent the appointment of unfit characters, from State prejudice, from family connection, from personal attachment, or a view to popularity. In addition to this, it would be an efficacious source of stability in the administration.

You can see that Hamilton supports the notion that the Senators are to consider anything they believe would bear on the wisdom of a nomination.

Foremost among these considerations, I believe, would be the judicial philosophy of the candidate.

What, then, are the socioeconomic views of the two nominees whose names currently are pending action in the other body?

Well, in my judgment, we have both candidates failing because of the precise reason that the President of the United States chose them—their narrow conservative philosophy.

I give this not as a political partisan and not because I oppose everything that the Chief Executive Officer does but because I as a Member of this body feel that it would be extremely damaging to the future of this third great branch of Government if we were to continue to ratify the advancement to the Supreme Court of the United States members who have or will reflect the outlook in their decisions of a conservative socioeconomic philosophy.

Permit me to be more specific. One

of the matters now before the Supreme Court and before many of the lesser Federal courts is the question of resolving the matter of race in education in America; that is to say that since 1954 it has been the supreme law of this land that sending children of different races to different schools works irreparable injury upon all of the children of each race—and that therefore the traditional practice of dual schools segregated on race or unified school districts which are based upon a segregation inside of a single school district, must be corrected when it is mandated by law or is assisted in any way by a governmental agency, be it municipal, county, State or Federal. The effect of that decision since 1954—18 years ago—is extremely profound.

The Supreme Court in its wisdom decided that there was a constitutional violation and for the very first time gave the offending party a reasonable time to correct a violation of a constitutional right that was being denied to millions upon millions of black and white schoolchildren.

I, as perhaps you, was sensitive to the fact that the dimension of this decision would require a certain amount of time to be absorbed, to be followed and put into operation by the school districts across the land. It began, of course, in the South, but the implications now of that one decision hang over every school district in the United States of America. So, we now have a great cry going about the land to somehow modify the implications of that decision.

If the President of the United States can dispose of that decision by merely appointing people of a narrow view to the Supreme Court, and we stand by, giving our Senators no encouragement to inquire into the question of that narrowness, then I think we are doing less than our responsibilities as Members who work closely with that other body.

In other words, I am not prepared to say that the President has the prerogative to pack the Court with people who would turn us away from the Brown decision of 1954 merely because he can name the nominees. I demand that the Senate exercise its responsibilities and examine where the views of these nominees would ultimately take not only the Supreme Court but all of us in the land.

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

Mr. CONYERS. I shall be happy to yield to the gentleman from California.

Mr. CORMAN. I thank the gentleman for yielding and for letting me share with him this special order.

I think there is nothing more important that has come up in this Congress. The gentleman has just stated why the Senate has an awesome obligation to the American people to inquire into the views of anyone who may be elevated to the U.S. Supreme Court.

Our whole history has been one of struggling toward equality for all men, but it has been a slow, painful process and many times a tragic one. Many of us saw the 1954 Supreme Court decision as the last necessary great step toward equality, because it sought to insure

young people moving into our public life at the age of 5, a chance of moving into a school that reflected racial justice. Now, regrettably, nearly 18 years later, we still wait for that promised commitment. We have educated a whole generation of Americans without implementing that decision in most of this country.

Certainly we have not implemented it in my own school district in Los Angeles. It is necessary that we look at where we have been and where we are on this issue because, as I say, I think this is the one great step left untaken. Until we get equality for the 5-year-old as he moves into his educational process we cannot expect to make progress in achieving racial justice in this country.

The President who preceded us saw this issue not as a legal nicety, but as a moral necessity, and he directed his efforts toward establishing racial justice in this country on that ground. The incumbent President, as I understand him, says to the American people, "We will do only what the Court requires. We will integrate our public schools only as the Court requires, case by case." The morality of the issue and the necessity of it for all Americans escapes him.

But, then, what else does he do? He says, "And I will do my best to change the Court so it will require nothingness."

And that is the reason that the Senate must look at this particular issue so carefully, and must guard the American people against the President being successful in his efforts to destroy the one part of this Government that can most effectively bring us towards a single society.

We have all suffered through this dual society, some more than others, but always we have moved toward equality, and we cannot move further unless we can integrate the public schools throughout this land, for every American. But full equality will not be realized unless we protect the U.S. Supreme Court from those who are narrow and bigoted. The Senate has twice served that cause. I hope they will again.

I commend the gentleman for taking this special order.

Mr. CONYERS. Mr. Speaker, I want to thank the gentleman from California for a concise commentary. I appreciate that the gentleman has served with great distinction on the Committee on the Judiciary in the House, and continually brings his legal competence to the membership.

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

Mr. CONYERS. Yes, I yield to the gentleman.

Mr. SCHMITZ. I would like to direct a question to my colleague, the gentleman from California (Mr. CORMAN) if the gentleman in the well would yield some time to the gentleman to answer. It is only just a point of clarification.

The gentleman from California mentioned that we should protect the Court from those who are narrow and bigoted. Did the gentleman mean that any of the current nominees fit that category? Is the gentleman labeling them either bigoted or narrow?

Mr. CORMAN. Mr. Speaker, will the gentleman yield for a response?

Mr. CONYERS. I yield to the gentleman from California.

Mr. CORMAN. I have not testified before the Senate committee because I do not know whether they are or not. But I do know that that question must be addressed by the Senate. They must look at it very carefully. And if that is their conclusion, if there is any reason for them to believe that the nominees fit that category, that they would frustrate the hopes of Americans to continue to have protection from the U.S. Supreme Court for their 14th amendment rights, then the Senate should reject their nominations.

Mr. SCHMITZ. I thank the gentleman for the clarification.

Mr. CONYERS. Mr. Speaker, I would like to point out to my colleague, and I am delighted that he is on the floor at this time, that I have testified before the Senate Committee on the Judiciary against both of the nominees. I have been extremely careful to avoid the use of labels that are in any way emotional, or would tend to complicate the problem that we are discussing. I claim their unfitness based on their narrowness of view and their failure to understand the magnitude and the direction that our society must go in.

The question of wiretapping is before the U.S. Supreme Court. I have some concern about Mr. Rehnquist's cavalier attitude on that subject.

The question of school desegregation is clearly on the docket of the U.S. Supreme Court.

I disagree most strenuously with Mr. Powell's participation as chairman of the School Board of the State of Virginia in accepting the programs that funded white parents to take their children to private schools to evade the Supreme Court decision—at, incidentally, black taxpayers' expense who were excluded from any such program.

It seems to me, without trying to denigrate someone as a bigot or a racist or a segregationist, that the fact of their record must speak for itself as we attempt to make these kinds of evaluations.

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

Mr. CONYERS. I yield to the gentleman.

Mr. CORMAN. I just want to emphasize again that I do not have enough personal knowledge of the facts and I am pleased that the gentleman in the well did have and that he shared that knowledge with the Senate.

The gentleman was just using the term of narrowness of views. One man's view of one with a narrow mind might make another man's view of a bigot.

I personally must consider a person a bigot if he does not believe little children should be able to go to school together regardless of the color of their skin.

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

Mr. CONYERS. I will yield further, but first may I point out that what we are doing in this discussion, and in my testimony before the Senate, is not to assume



the brashness to tell the Senate how they ought to vote. I do not stand in the well of this House to instruct them on which way they should cast their vote. I know which way I would cast my vote were I honored to sit in that Chamber. But I asked them to evaluate and to use the rationale that has been constitutionally developed since Alexander Hamilton made the statement that I have already cited in the Federalist papers, that they examine the world views and the outlook of the nominee.

Now if it so happens that a Member in the other body voting on this question is satisfied that he too as a chief executive officer wants someone with a narrow view and he wants someone who will attempt to subvert the Supreme Court decision of 1954, and he wants someone who will not put forth decisions that will eliminate the institutional racism that has existed in America since 1619, then of course he will use the same formula that has been presented here, vote differently from the way this particular Member would if he were in the other body.

I yield to the gentleman from California (Mr. SCHMITZ) if he desires recognition.

Mr. SCHMITZ. I just wanted the gentleman to yield further for a further clarification of what I thought was a clarification from my colleague, the gentleman from California, if he is still in the Chamber, and I would be pleased if he would check me if I am wrong here—his comment seemed to say that he was now convinced one of the Court nominees is a bigot; is that correct?

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

Mr. CONYERS. I yield to the gentleman.

Mr. CORMAN. No; I said I do not know of my own knowledge whether they are or not. I gathered from the criteria, and said I thought Mr. CONYERS' language used in the Senate fit them into that category and I also tried to indicate that my very gentle colleague in the well might use the more polite term "narrow view" when in my opinion I might by the same criteria use the word "bigot."

Mr. SCHMITZ. You mean you do say or you did not; is that correct?

Mr. CONYERS. May I ask the gentleman from California (Mr. SCHMITZ) if he has read the statement I presented to the Members of the Senate?

Mr. SCHMITZ. No, I have not.

Mr. CONYERS. That is in connection with Mr. Powell or Mr. Rehnquist?

Mr. SCHMITZ. No, I have not.

Mr. CONYERS. I would be very pleased to provide the gentleman with it. I appreciate the gentleman's concern on this subject. I would be pleased to present myself for any details that he would like to have. Perhaps he will end up sharing my view with me, if he were advised of the same factual material that has come to my attention and which caused me to go to the Senate to testify in the first place.

Mr. SCHMITZ. Do you mean your testimony in the Senate was longer than your 60-minute special order?

Mr. CONYERS. What difference does that make?

Mr. SCHMITZ. I thought you had just about covered the ground very thoroughly here.

Mr. CONYERS. No. As a matter of fact, I have not presented any of my statements in full. I will send them to you. They recite specific material. We have not covered the information. As a matter of fact, if the gentleman thought that he had heard the entire discussion on the merits of the two candidates, then I feel a responsibility to get this material to him as fast as a page can deliver it to his office, because it has not been thoroughly covered.

Mr. SCHMITZ. I would certainly appreciate it, because there has not been anything presented this evening, really, to impress me as far as your case goes.

Mr. CONYERS. There may not be anything in the briefs that will impress the gentleman, but until he has seen them, I would hope he would reserve any final position on the matter, because if he feels as I do, that anyone who would separate young children in America from schools according to race should be prevented from sitting on the Supreme Court, then he might join with me in my opposition to the nominee from the State of Virginia.

Mr. SCHMITZ. Well, you just send it over. I do not know why, if your arguments are so good, you kept them under wraps during your whole hour here.

Mr. CONYERS. They have not been kept under wraps. They were in the CONGRESSIONAL RECORD before. I could cite to the gentleman the page and the date that they appeared in the CONGRESSIONAL RECORD. They have not been under wraps. They have been reported to the media to the extent I have influence in getting my remarks in the media. They have been reported to each and every Member of the U.S. Senate.

I yield to the gentleman from Maryland (Mr. MITCHELL).

Mr. MITCHELL. I thank my distinguished colleague for yielding.

I, too, want to join in commending you for your courage and your insight in bringing this matter, not just before this honorable body, but before the Nation.

I would like to remind this House that the crucible for democracy is not during a time of peace and tranquility. The crucible for democracy is during that time when institutions are being tested for their viability and their relevance. It is during that time of tension and stress associated with fast, almost cataclysmic social change, that we have the real crucible for democracy.

The big question that looms before us, not only in connection with the proposed nominations of Mr. Rehnquist and the other candidate, but also with the whole mosaic of American life—the big question is this: How are we going to meet this present crucible? How are we going to meet it? Shall we meet it by closing the doors? Shall we meet it by repression? Shall we meet it by using every technicality possible to just crush dissent and protest?

Some several weeks ago on this floor I spoke briefly about the history of black Americans and other minorities in this

country, and I talked about the cycle of utilizing the three branches of Government. There have been times—and I feel we are now in one of those times—when the White House, the executive branch, has been unresponsive to the needs of the blacks, the poor people, and other minorities. There have been other times in the past when that has occurred and we would look to the legislative body for help. Now I fear that just as the executive branch is showing a great deal of callousness and insensitivity in the things to which I have alluded, I find evidences in this very House of the same kind of insensitivity to those things I spoke of, which leaves the poor, the black people, the Chicanos, and other minorities looking to the one thing, that one last citadel of justice that we have, almost inevitably had to turn to, and that has been the Supreme Court of the United States.

I respectfully submit that if indeed these two nominations are approved, then the door to the citadel of justice will be closed to us for perhaps the next 20 or 30 years.

I am further respectfully submitting to the distinguished gentleman, my colleague, and to the Members of this House, that this untoward action on the part of the executive branch in recommending men who do not meet the integrity needs of the U.S. Supreme Court is going to suggest to millions of Americans that the last door is closed to them.

Mr. Speaker, I would then further respectfully suggest that once that realization is spread out across this Nation, it must then be the responsibility of the Chief Executive of this Nation to deal with the byproduct, the aftermath of that realization.

Mr. Speaker, I do commend the gentleman again, and I am very, very proud to associate myself with his remarks.

Mr. CONYERS. Once again the gentleman from Maryland has summed up the frustrations that are visible in the black communities across this Nation. I would add only this to his excellent narration, which is: Does the gentleman not feel that there will be some additional disappointment if the Members of the Senate casually ratify these nominations? It is one thing for the Chief Executive Officer to disappoint us, but I think we reach a new level of disillusionment if our colleagues in the other body do not carefully scrutinize the basis upon which we raise these objections?

In other words, I think there will be an additional pessimism if we do not have Members in that body who are willing to examine the questions we raise.

Mr. HELSTOSKI. Mr. Speaker, I wish to thank my distinguished colleague from Michigan for this opportunity to express my strong opposition to the nomination and possible appointment of William H. Rehnquist to be an Associate Justice of the Supreme Court.

I realize that Mr. Rehnquist is reputedly of superior intelligence; however, intelligence is but one of many qualities required of those who serve on the Supreme Court. His deficiencies in the remaining areas, if I may be permitted an understatement, are greatly disquieting.

Our legislative efforts in the civil rights field must have the cooperation of the Supreme Court for enforcement. Yet, Mr. Rehnquist admitted he opposed a public accommodations law in 1964 because he failed to comprehend "the strong concern that minorities have for the recognition of their rights." The Supreme Court understood this concern and gave this recognition in the area of education 10 years earlier. This concern was quite evident to most Americans, though belatedly, in the 1950's and early 1960's. I find Mr. Rehnquist's oversight reprehensible, and only wonder what could happen if he were serving on the Supreme Court and he were again subject to such a misunderstanding about civil rights.

While Mr. Rehnquist's civil rights record is unacceptable, I am also deeply concerned about his attitude toward the first amendment. Certainly, he seems to feel that the Government's desire to secure information about individuals' private lives takes precedence over their right to privacy. I would hate to think that Mr. Rehnquist does not understand the "strong concern" American citizens have for preserving their privacy. Yet, his record as the Justice Department's chief spokesman for undermining the Bill of Rights leads me to this conclusion.

The civil liberties guaranteed by our Constitution are under constant attack and are seriously endangered today. We must be able to depend on the Supreme Court to defend these liberties. Freedom to assemble peacefully, the right to privacy, free speech, and freedom of the press must be vigorously protected. When these foundations of democratic government are involved in cases before the Supreme Court, participants in the drafting of the Court's decisions should not include one who feels that property rights and bureaucratic whims outweigh human rights. This unfortunate matrix of values is the underpinning of Mr. Rehnquist's legal philosophy.

I should, therefore, urge the Members of the other body to deny their consent to this nomination and advise the administration to propose a more openminded nominee, conversant with the Supreme Court's responsibility to recognize and protect the civil rights and civil liberties of American citizens.

Mr. STOKES. Mr. Speaker, it disturbs me greatly that we must again discuss the fitness of a nominee for the Supreme Court. It would seem that before nomination a candidate would be so carefully screened that we would have little to discuss other than differences in philosophy.

Many very serious and very basic questions have been raised about the fitness of William H. Rehnquist. Few of us here would generally agree with the legal philosophy of either Mr. Rehnquist or Mr. Powell. With respect to Mr. Rehnquist, however, my reservations go beyond mere philosophical differences.

Since his nomination, Mr. Rehnquist's long record of consistent, aggressive efforts to restrict or deny the civil rights and civil liberties of individuals and groups has been revealed.

It was said that "Caesar's wife must

be above suspicion." A Supreme Court nominee's commitment to the general principles of the Bill of Rights and the 14th amendment must be indisputable. Nine Justices of the Court agreed on the general principles of the Brown decision to eliminate racial segregation of schools. Many decisions of the Warren Court were by 5-to-4 votes, but no one could question the basic commitment of the four dissenters to the principles of personal liberty.

That cannot be said of William Rehnquist. His record indicates a strong commitment to the limitation of individual rights. He has publicly manifested the belief that property rights outweigh civil rights by opposing civil rights legislation. He has shown a lack of concern about government invasion of privacy and a severely limited view of the right of free speech. If it could be said that his positions appear to have been reached after a careful evaluation of the facts in each particular situation, his fitness might be defensible. His record, however, indicates an adamant, dogmatic view of the problems of society in which there is precious little room for considerations of individual rights. In virtually all situations, political expediency seems to have outweighed human rights in Mr. Rehnquist's scale of values.

Because of his record and his apparent inability or unwillingness to carefully consider civil liberties matters, he is wholly unfit to serve as an Associate Justice of the Supreme Court. I hope that the Senate will again demonstrate its wisdom by rejecting him as it has rejected two of President Nixon's prior nominees.

Mrs. ABZUG. Mr. Speaker, I rise to voice my strong opposition to the nominations of Lewis Powell and William Rehnquist to the Supreme Court. While both men may be legally qualified for the Court, their philosophical leanings make them completely unacceptable.

I need not remind my colleagues of the importance of an independent and progressive Court. We have seen in recent years a dangerous rise in the power of the executive branch of Government as Congress has repeatedly and continuously refused to assert its vital constitutional role. Are we now going to approve of a Court that is also to be subordinate to the executive? If we approve the appointments of William Rehnquist and Lewis Powell, where will we turn for some kind of control or limitation on the excesses of the executive?

The record of the Burger Court has already been described as a catastrophe by an official of the American Civil Liberties Union. The Court's ruling on the Pentagon papers, upholding freedom of the press by the narrowest of margins and for the narrowest of reasons, may well be the last vote for the Bill of Rights that we may expect from the Court for many years.

If the appointment of William Rehnquist is approved, the Court may be thrown decisively into the right wing. The Bill of Rights may no longer be honored as the law of the land. Mr. Rehnquist's service in the Justice Department has seen such innovations as

investigations of television commentators, mass arrests, and the detention of thousands of innocent people, the reviving of the Subversive Activities Control Board, and the dragging of Americans before grand juries on fake conspiracy charges.

Under the Constitution, the Senate must give its advice and consent to appointments to the Supreme Court. It is certainly not required to acquiesce to the appointment of men whose philosophical and political views would undermine the Bill of Rights, a living and vital part of our Constitution.

Both Lewis Powell and William Rehnquist represent those forces that many of us have been fighting for years. We have fought for years to defend the rights of the powerless and to gain for all our brothers and sisters equality under the law. Are we now going to support men who would turn back the clock, men whose records have shown them to be at best negligent on the question of equality for the blacks and at worst to be philosophical racists?

I believe the nature of Mr. Nixon's appointments provide ample reason for the Senate to refuse to give its consent, but there are other grounds as well. I believe the time is due, in fact long overdue, for the President to appoint a woman to the Supreme Court, and the highest priority should be given to that. The Senate has an opportunity to begin to undo the discrimination against women. It should let it be known that the President has an obligation to appoint a woman to the Supreme Court.

I urge this source not only out of an abstract sense of justice. I believe it is a necessity if the very important women's rights issues that are beginning to come before the High Court are to receive proper consideration.

The demand for a woman on the Supreme Court has come from women's groups all over the country, including the National Women's Political Caucus. We in the caucus submitted to the White House a list of 10 distinguished women who were highly qualified. The President chose to play a game of hide and seek with these demands. By secretly hinting that he was considering a woman who was found by the American Bar Association to be totally unqualified he implied that in all of the United States there was not a woman good enough to be on the Court. The real problem, of course, was that he could not find one bad enough.

It is shocking that in our 190-year history we have not had a woman on the Supreme Court. It is unforgivable for us to allow this situation to continue.

When I first heard President Nixon's statement that he was going to ignore the modified Mansfield amendment which he had just signed into law, my first reaction was that we should go to court—all the way to the Supreme Court, if necessary—to challenge the constitutionality of his action; after all, the Constitution requires him to "take care that the laws be faithfully executed." And then I thought about it again. When Mr. Nixon gets through with the Court, will any of us retain any faith in its wisdom, its inde-



pendence, its objectivity or its devotion to constitutional liberties? Will anyone want to risk placing his rights at the disposal of Nixon's "yes-men"?

If the appointments of William Rehnquist and Lewis Powell are approved, I shudder for the future of our cherished Bill of Rights. I hope that the Senate will come to its senses and decline to confirm these two nominees.

Mr. RYAN. Mr. Speaker, I commend my distinguished colleague from Michigan (Mr. CONYERS) for taking this time so that Members of the House of Representatives may comment upon the pending Supreme Court nominations. Although only the Senate—and not the House—will vote on the question of confirmation, it is important that our views be made known and recorded.

The nominations of William Rehnquist and Lewis Powell to the Supreme Court are part of the larger problem of the President's approach to Supreme Court appointments. Unfortunately, the President has used his appointive powers in an effort to overturn or undercut landmark decisions in areas of civil rights and criminal procedure which were developed during the years of the Warren court.

Predictably, these decisions of the Warren court offended reactionary and antilibertarian elements in our society, whom President Nixon has sought to appease through his nominations to the Supreme Court. In so doing, he is making good on a campaign promise, when in 1968 he made the Court a political issue.

In May of 1968, Mr. Nixon said:

There are two important things I would consider in selecting a replacement to the Court:

First, since I believe in a strict interpretation of the Supreme Court's role, I would appoint a man of similar philosophical persuasion.

Second, recent court decisions have tended to weaken the peace forces, as against the criminal forces, in this country. I would therefore want to select a man who was thoroughly experienced and versed in the criminal law and its problems.

The Congress and the country have been subject to great stresses as a result of the President's attempt to make good on his rhetoric. We have had the Haynsworth and the Carswell fiascos. Even the nomination of Mr. Justice Blackmun was accompanied by bitter talk from the White House that a southerner could not be confirmed by the Senate.

And now again, the Senate is faced with nominations which are not calculated to advance the gains of the past but rather to turn back the clock.

Thus in addition to the question of the individual qualifications of William Rehnquist and Lewis Powell, there is the larger issue of President Nixon's attempt to reshape the Supreme Court and overturn historic decisions which have upheld equal rights and which have brought a measure of justice to this country's sadly floundering system of criminal law.

It may be understandable that the President seeks to appoint Supreme Court justices who will approach the great questions before the Court from a conservative viewpoint. But it is regret-

table that he has failed to recognize that the Supreme Court stands as a special guardian of our liberties and that its members must be more than technically competent lawyers. They must have depth and insight and understanding of the great problems that beset this country.

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#### A NOTE ON SENATORIAL CONSIDERATION OF SUPREME COURT NOMINEES

(By Charles L. Black, Jr.) \*

If a President should desire, and if chance should give him the opportunity, to change entirely the character of the Supreme Court, shaping it after his own political image, nothing would stand in his way except the United States Senate. Few constitutional questions are then of more moment than the question whether a Senator properly may, or even at some times in duty must, vote against a nominee to that Court, on the ground that the nominee holds views, which, when transposed into judicial decisions, are likely, in the Senator's judgment, to be very bad for the country. It is the purpose of this piece to open discussion of this question; I shall make no pretense of exhausting that discussion, for my own researches have not proceeded far enough to enable me to make that pretense. I shall, however, open the discussion by taking, strongly, the position that a Senator, voting on a presidential nomination to the Court, not only may but generally ought to vote in the negative, if he firmly believes, on reasonable grounds, that the nominee's views on the large issues of the day will make it harmful to the country for him to sit and vote on the Court, and that, on the other hand, no Senator is obligated simply to follow the President's lead in this regard, or can rightly discharge his own duty by so doing.

I will open with two prefatory observations.

First, it has been a very long time since anybody who thought about the subject to any effect has been possessed by the illusion that a judge's judicial work is not influenced and formed by his whole lifeview, by his economic and political comprehensions, and by his sense, sharp or vague, of where justice lies in respect of the great questions of his time. The *loci classici* for this insight, now a platitude, are in such writers as Oliver Wendell Holmes, Jr., Felix Frankfurter, and Learned Hand. It would be hard to find a well-regarded modern thinker who asserted the contrary. The things which I contend are both proper and indispensable for a Senator's consideration, if he would fully discharge his duty, are things that have definitely to do with the performance of the judicial function. The factors I contend are for the Senator's weighing are factors that go into composing the quality of a judge. The contention that they may not properly be considered therefore amounts to the contention that some things which make a good or bad judge may be considered—unless the Senator is to consider nothing—while others may not.

Secondly, a certain paradox would be involved in a negative answer to the question I have put. For those considerations which I contend are proper for the Senator are considerations which certainly, notoriously, play (and always have played) a large, often a crucial, role in the President's choice of his nominee; the assertion, therefore, that they should play no part in the Senator's decision amounts to an assertion that the authority that must "advise and consent" to a nomination ought not to be guided by considerations which are hugely important in the making of the nomination. One has to ask,

"Why"? I am not suggesting now that there can be no answer; I only say that an answer must be given. In the normal case, he who lies under the obligation of making up his mind whether to advise and consent to a step considers the same things that go into the decision whether to take that step. In the normal case, if he does not do this, he is derelict in his duty.

I have called this a constitutional question, and it is that (though it could never reach a court), for it is a question about the allocation of power and responsibility in government. It is natural, then, for American lawyers to look first at the applicable text, for what light it may cast. What expectation seems to be projected by the words, "The President . . . shall nominate, and by and with the Advice and Consent of the Senate shall appoint . . . Judges of the Supreme Court . . ."?<sup>2</sup> Do these words suggest a rubber-stamp function, confined to screening out proven malefactors? I submit that they do not. I submit that the word "advice," unless its meaning has radically changed since 1787, makes next to impossible that conclusion.

*Procedurally*, the stage of "advice" has been short-circuited.<sup>3</sup> Nobody could keep the President from doing that, for obvious practical reasons. But why should this procedural short-circuiting have any effect on the substance so strongly suggested by the word "advice"? He who merely *consents* might do so perfunctorily, though that is not a necessary but merely a possible gloss. He who *advises* gives or withholds his advice on the basis of all the relevant considerations bearing on decision. Am I wrong about this usage? Can you conceive of sound "advice" which is given by an advisor who has deliberately barred himself from considering some of the things that the person he is advising ought to consider, and does consider? If not, then can the Presidents, by their unreviewable short-circuiting of the "advice" stage, magically have caused to vanish the Senate's responsibility to consider what it must surely consider in "advising"? Or is it not more reasonable to say that, in deciding upon his vote at the single point now left him, every Senator ought to consider everything he would have considered if, procedurally, he were "advising"? Does not the word "advice" permanently and inescapably define the scope of Senatorial consideration?

It is characteristic of our legal culture both to insist upon the textual reference-point, and to be impatient when much is made of it, so I will leave what I have said about this to the reader's consideration, and pass on to ask whether there is anything else in the Constitution itself which compels or suggests a restriction of Senatorial consideration to a few rather than to all of the factors which go to making a good judge. I say there is not; I do not know what it would be. The President has to concur in legislation, unless his veto be overridden. The Senate has to concur in judicial nominations. That is the simple plan. Nothing anywhere suggests that some duty rests on the Senator to vote for a nomination he thinks unwise, any more than that a duty rests on the President to sign bills he thinks unwise.

Is there something, then, in the whole structure of the situation, something unwritten, that makes it the duty of a Senator to vote for a man whose views on great questions the Senator believes to make him dangerous as a judge? I think there is not, and I believe I can best make my point by a contrast. The Senate has to confirm—advise and consent to—nominations to posts in the executive department, including cabinet posts. Here, I think there is a clear structural reason for a Senator's letting the President have pretty much anybody he wants, and certainly for letting him have the people of any political views that appeal to him. These are his people; they are to work with him. Wis-

\*Footnotes at end of article.

dom and fairness would give him great latitude, if strict constitutional obligation would not.

Just the reverse, just exactly the reverse, is true of the judiciary. The judges are not the President's people. God forbid! They are not to work with him or for him. They are to be as independent of him as they are of the Senate, neither more nor less. Insofar as their policy orientations are material—and, as I have said above, these can no longer be regarded as immaterial by anybody who wants to be taken seriously, and are certainly not regarded as immaterial by the President—it is just as important that the Senate think them not harmful as that the President think them not harmful. If this is not true, why is it not? I confess here I cannot so much as anticipate a rational argument to which to address a rebuttal.

I can, however, offer one further argument tending in the same direction. The Supreme Court is a body of great power. Once on the Court, a Justice wields that power without democratic check. This is as it should be. But is it not wise, before that power is put in his hands for life, that a nominee be screened by the democracy in the fullest manner possible, rather than in the narrowest manner possible, under the Constitution? He is appointed by the President (when the President is acting at his best) because the President believes his world-view will be good for the country, as reflected in his judicial performance. The Constitution certainly permits, if it does not compel, the taking of a second opinion on this crucial question, from a body just as responsible to the electorate, and just as close to the electorate, as is the President. Is it not wisdom to take that second opinion in all fullness of scope? If not, again, why not? If so, on the other hand, then the Senator's duty is to vote on his whole estimate of the nominee, for that is what constitutes the taking of the second opinion.

Textual considerations, then, and high-political considerations, seem to me strongly to thrust toward the conclusion that a Senator both may and ought to consider the life-view and philosophy of a nominee, before casting his vote. Is there anything definite in history tending in the contrary direction?

In the Constitutional Convention, there was much support for appointment of judges by the Senate alone—a mode which was approved on July 21, 1787,<sup>4</sup> and was carried through into the draft of the Committee of Detail.<sup>5</sup> The change to the present mode came on September 4th, in the report of the Committee of Eleven<sup>6</sup> and was agreed to *nem. con.* on September 7th.<sup>7</sup> This last vote must have meant that those who wanted appointment by the Senate alone—and in some cases by the whole Congress—were satisfied that a compromise had been reached, and did not think the legislative part in the process had been reduced to the minimum. The whole process, to me, suggests the very reverse of the idea that the Senate is to have a confined role.

I have not reread every word of *The Federalist* for this opening-gun piece, but I quote here what seem to be the most apposite passages from Number 73 and 77:

"But might not his nomination be overruled? I grant it might, yet this could only be to make place for another nomination by himself. The person ultimately appointed must be the object of his preference, though perhaps not in the first degree. It is also not very probable that his nomination would often be overruled. The Senate could not be tempted, by the preference they might feel to another, to reject the one proposed; because they could not assure themselves, that the person they might wish would be brought forward by a second or by any subsequent nomination. They could not even be certain, that a future nomination would present a candidate in any degree more acceptable to them; and as their dissent might cast a kind of stigma upon the individual re-

jected, and might have the appearance of a reflection upon the judgment of the chief magistrate, it is not likely that their sanction would often be refused, where there were not special and strong reasons for the refusal.

"To what purpose then require the co-operation of the Senate? I answer, that the necessity of their concurrence would have a powerful, though, in general, a silent operation. It would be an excellent check upon a spirit of favoritism in the President, and would tend greatly to prevent the appointment of unfit characters from State prejudices, from family connection, from personal attachment, or from a view to popularity. In addition to this, it would be an efficacious source of stability in the administration.

"It will be readily be comprehended, that a man who had himself the sole disposition of offices, would be governed much more by his private inclinations and interests, than when he was bound to submit the propriety of his choice to the discussion and determination of a different and independent body, and that body an entire branch of the legislature. The possibility of rejection would be a strong motive to care in proposing. The danger to his own reputation, and, in the case of an elective magistrate, to his political existence, from betraying a spirit of favoritism, or an unbecoming pursuit of popularity, to the observation of a body whose opinion would have great weight in forming that of the public, could not fail to operate as a barrier to the one and to the other. He would be both ashamed and afraid to bring forward, for the most distinguished or lucrative stations, candidates who had no other merit than that of coming from the same State to which he particularly belonged, or of being in some way or other personally allied to him, or of possessing the necessary insignificance and pliancy to render them the obsequious instruments of his pleasure."

"If it be said they might sometimes gratify him by an acquiescence in a favorite choice, when public motives might dictate a different conduct, I answer, that the instances in which the President could be personally interested in the result, would be too few to admit of his being materially affected by the compliances of the Senate. The power which can originate the disposition of honors and emoluments, is more likely to attract than to be attracted by the power which can merely obstruct their course. If by influencing the President he meant restraining him, this is precisely what must have been intended [emphasis supplied]. And it has been shown that the restraint would be salutary, at the same time that it would not be such as to destroy a single advantage to be looked for from the uncontrolled agency of that Magistrate. The right of nomination would produce all the good of that of appointment, and would in a great measure avoid its evils."

I cannot see, in these passages, any hint that the Senators may not or ought not, in voting on a nominee, take into account anything that they, as serious and public-spirited men, think to bear on the wisdom of the appointment. It is predicted, as a mere probability, that Presidential nominations will not often be "overruled." But "special and strong reasons," thus generally characterized, are to suffice. Is a Senator's belief that a nominee holds skewed and purblind views on social justice not a "special and strong reason"? Is it not as "special and strong" as a Senator's belief that an appointment has been made "from a view to popularity"—a reason which by clear implication is to suffice as support for a negative vote? If there is anything in *The Federalist Papers* neutralizing this inference, I should be glad to see it.

When we turn to history, the record is, as

always, confusing and multifarious. One can say with confidence, however, that a good many nominations have been rejected by the Senate for repugnancy of the nominee's views on great issues, or for mediocrity, or for other reasons no more involving moral turpitude than these. Jeremiah Sullivan Black, an eminent lawyer and judge, seems to have been rejected in 1861 because of his views on slavery and secession.<sup>10</sup> John J. Crittenden was refused confirmation in 1829 on strictly partisan grounds.<sup>11</sup> Wolcott was rejected partly on political grounds, and partly on grounds of competence, in 1811.<sup>12</sup> There is the celebrated Parker case of this century.<sup>13</sup> The perusal of Warren<sup>14</sup> will multiply instances.

I am very far from undertaking any defense of each of these actions severally. I am not writing about the wisdom, on the merits, of particular votes, but of the claim to historical authenticity of the supposed "tradition" of the Senators' refraining from taking into account a very wide range of factors, from which the nominees' views on great public questions cannot, except arbitrarily, be excluded. Such a "tradition," if it exists, exists somewhere else than in recorded history. Of course, all these instances may be dismissed as improprieties, but then one must go on and say why it is improper for the Senate, and each Senator, to ask himself, before he votes, every question which heavily bears on the issue whether the nominee's sitting on the Court will be good for the country.

I submit that this "tradition" is just a part of the twentieth-century mystique about the Presidency. That mystique, having led us into disastrous undeclared war, is surely due for reexamination. I do not suggest that it can be or should be totally rejected. I am writing here only about a little part of its consequences.

To me, there is just no reason at all for a Senator's not voting, in regard to confirmation of a Supreme Court nominee, on the basis of a full and unrestricted review, not embarrassed by any presumption, of the nominee's fitness for the office. In a world that knows that a man's social philosophy shapes his judicial behavior, that philosophy is a factor in his fitness. If it is a philosophy the Senator thinks will make a judge whose service on the Bench will hurt the country, then the Senator can do right only by treating this judgment of his, unencumbered by deference to the President's, as a satisfactory basis in itself for a negative vote. I have as yet seen nothing textual, nothing structural, nothing prudential, nothing historical, that tells against this view. Will someone please enlighten me?

#### FOOTNOTES

<sup>4</sup>Henry R. Lucas Professor of Jurisprudence, Yale University, B.A. 1935, M.A. 1938, University of Texas; LL.B. 1943, Yale.

<sup>5</sup>I shall not provide this discussion with an elaborate footnote apparatus. I am sorry to say that I cannot acknowledge debt, for I am writing from my mind; experience teaches that, when one does this, one unconsciously draws on much reading consciously forgotten; for all such obligations unwittingly incurred I give thanks. I have had the benefit of discussion of many of the points made herein with students at the Yale Law School, of whom I specifically recollect Donald Paulding Irwin; I have also had the benefit of talking to him about the piece after it was written.

HARRIS, THE ADVICE AND CONSENT OF THE SENATE (1953) came to my attention and hands after the present piece had gone to the printer. This excellent and full account of the entire function would doubtless have fleshed out my own thoughts, but I see nothing in the book that would make me alter the position taken here, and I hope a single-shot thesis like the present may be useful.



<sup>2</sup> U.S. CONST. art. II, § 2, cl. 2.

<sup>3</sup> Even this short-circuiting is not complete. First, the President's "appointment," after the Senate's action, is still voluntary (Marbury v. Madison, 5 U.S. (1 Cranch) 137, 155 (1803)), so that in a sense the action of the Senate even under settled practice may be looked on as only "advisory" with respect to a step from which the President may still withdraw. Secondly, nominations are occasionally withdrawn after public indication of Senate sentiment (and probable action) which may be thought to amount to "advice."

<sup>4</sup> 2 RECORDS OF THE FEDERAL CONVENTION OF 1787, at 83 (M. Farrand ed. 1911).

<sup>5</sup> *Id.* at 132, 146, 155, 169, 183.

<sup>6</sup> *Id.* at 498.

<sup>7</sup> *Id.* at 539.

<sup>8</sup> THE FEDERALIST No. 76, at 494-95 (Modern Library 1937) (Alexander Hamilton).

<sup>9</sup> *Id.* No. 77, at 498 (Alexander Hamilton).

<sup>10</sup> 2 C. WARREN, THE SUPREME COURT IN UNITED STATES HISTORY 364 (rev. ed. 1926).

<sup>11</sup> *Id.* at 704.

<sup>12</sup> *Id.* at 413.

<sup>13</sup> L. PFEFFER, THIS HONORABLE COURT, A HISTORY OF THE UNITED STATES SUPREME COURT 288 (1965).

<sup>14</sup> C. WARREN, THE SUPREME COURT IN UNITED STATES HISTORY (rev. ed. 1926).

### CHILD DEVELOPMENT PROGRAM

The SPEAKER pro tempore (Mr. HOLIFIELD). Under a previous order of the House, the gentlewoman from Massachusetts (Mrs. HECKLER), is recognized for 60 minutes.

Mrs. HECKLER of Massachusetts. Mr. Speaker, it is fitting as this body prepares to consider the conference report on S. 2007, which includes child development program provisions, that we put our ear to the ground for a moment.

As an early and persistent supporter of Federal funding for children's day-care centers, as provided for in this legislation, I took the question directly to the people recently. And they responded.

On November 15, I held a hearing in the city of Fall River in my congressional district to elicit from the community an expression of opinion and sentiment on the need for a Federal day-care program.

Parenthetically, may I say that there were a number of people without whose extraordinary effort and dedication the hearing would not have been possible. Permit me to thank them publicly, people like Joan Reid, Tom Nerney, Alice Holmes, Joe Welch, Al Dyson, and many, many more whose contributions were incalculable.

More than 650 people attended. And they represented almost every walk of life and segment of society in the city. They ranged all across the spectrum from the Chamber of Commerce to organized labor. There were private individuals, working mothers, management groups, school officials, civic organizations, public officials, community leaders, social welfare workers.

The feeling, spoken and unspoken, was unanimous: They favor the concept of quality day care in adequate facilities for the children of women who need or want such care. So pervasive was the endorsement of the idea that one of the waitresses at the restaurant in which the meeting was held put down her tray and took up the microphone to express her support for it as a working mother.

Fall River is an industrial city with a large Portuguese population and a high percentage of working women, many of whom are the sole support of their families. The need there for quality day care is very real. At the same time, I feel that it is not unlike a great many other American cities, so I believe it is fair to say that the outpouring of approval for this kind of program can be construed to be somewhat representative of the rest of the country.

If that is true, then when we listen to Fall River, we hear America.

I urge the other body, I urge this body, and I urge the President to listen and to respond to the people's need.

Herewith then is their voice, recorded in a transcript of the hearing on day care held November 15, 1971, in Fall River, Mass.:

A TRANSCRIPT OF THE PROCEEDINGS AND TESTIMONY AT THE CHILD DAY-CARE HEARINGS CONDUCTED IN FALL RIVER, MASS., ON NOVEMBER 15, 1971, UNDER THE SPONSORSHIP OF THE HONORABLE MARGARET M. HECKLER, CONGRESSWOMAN FROM THE 10TH CONGRESSIONAL DISTRICT OF MASSACHUSETTS

Good evening, my name is Tom Nerney, and I would like to welcome all of you on behalf of the many public agencies, business, labor, and community groups who have been working on this hearing because of their continued interest in the Child Development Act. The purpose, then, of tonight's meeting is to solicit your ideas on the merits of this Bill with the hope of developing a case for the unique need that exists in the City of Fall River. The format for tonight's hearing will include both spoken testimony and questions regarding the Bill. The details and guidelines for carrying this out will be mentioned in a short while. First, however, I would like to introduce your Congresswoman who has spent years developing grass-roots support for quality Day Care Centers. She is here this evening to speak briefly and then to listen, to listen in order that she may present to Congress what should turn out to be the culmination of that grass roots effort,—Mrs. Heckler.

Thank you very much, Tom Nerney, and our visiting experts, who are gracious enough to spend the evening with us in Fall River, and Friends:

I really am delighted tonight that all of you could fit this meeting into your busy schedule. Even more than that, your presence tonight signifies to me, and I am sure to our panelists, and will, to those in Congress to whom I will present my Report, evidence of the true grass roots feeling about the subject of Day Care.

Obviously, Day Care is concerned with the problems of the working mother. Day Care is the concern of the working father as well. As a working mother myself, I appreciate the point of view of those who care about how their children will be treated and how they will grow and learn while they are not at home. But beyond the subject of the personal interest of the individual, be it of the father or mother, there is the subject of the concern of the community for its own future, and for its children, and that is the subject of the whole Day Care movement, the concern for children, who are, of course, the bedrock and future of any community.

This meeting tonight would not have been possible without all of you, and I have never seen a broader spectrum of community concern or community involvement—labor, business, the Chamber of Commerce, the unions, tenants, tenant organizations, landlords, the Welfare Department, the Four C's Committee, the schools, private industry, Head Start,

the League of Women Voters, the universities, Bristol Community College, S.M.U., private day care center operators, and mostly interested citizens.

We are really privileged tonight to have with us experts in the field from the Federal Government, and representing our State Government. I feel it is a singular honor. I would like to introduce at the outset Mrs. Marjorie N. Elston, who is the Special Assistant to the Director of the Office of Child Development in the Department of Health, Education, and Welfare, who came from Washington with me to be here. Mrs. Elston, would you please stand up so all will know who you are? And representing the regional office of the Office of Child Development, again the Department of Health, Education, and Welfare, Mrs. Willa Webb. Mrs. Webb, would you stand up? From the Governor's Task Force on the Commission of Women, particularly in the area of Child Care, I would like to present Mrs. Jean Cimarron. You shall hear more from all of these ladies a little bit later.

The actual reason, I believe, for the meeting tonight is the imminence, hopefully, and I speak with cautious optimism, of the forthcoming passage of Day Care legislation. I have been working in this area for the past three years, and happen to have been on a Task Force which devised and drafted over a long period of time the Comprehensive Child Development Act. This Act went through the usual legislative turmoil, and after being considered by the appropriate committee on the House side of the Congress, was adopted as an amendment to the War on Poverty authorization bill, and, as a result of this, the War on Poverty now has the Child Development Act as one of its amendments.

Now, this was not the legislative scenario I would have preferred. I would have preferred to see the Child Development Act come out on its own and be considered as a separate piece of legislation. However, the outcome was, in the opinion of those involved, the best way to get passage of the bill, and consequently it was supported on the House side, and a different version of a similar bill was proposed and passed in the Senate. As we meet tonight, the present status of this bill is that the conferees representing both the House and Senate are still considering and pouring over what will be their compromise between the House and Senate versions.

There are a number of different items in the two pieces of legislation, but the fact of the matter is that both focus on Child Development. As I understand it, the Child Development provisions of the OEO bill are not presently the subject of dispute. The dispute has been ironed out. However, there is another section of the total piece of legislation dealing with Legal Services, which is presently the subject of controversy, and we are hoping that the conferees will be able to reach accord on the Legal Services, so that we will see the passage of the total OEO bill, with the Child Development Act. Actually, the Comprehensive Child Development program, as we suggested, included a very broad range of services, health, education, social services.

The program was not designed to force mothers with children to work, and, as a matter of fact, it is not a substitute for mother love. It is an adjunct or an extension of mother love, and it is an attempt on the part of the Congress to give the working mother the peace of mind she needs not only to be a good mother, but to be effective in her job. For those who wish to participate in the Child Development Program, this legislation is designed to improve the opportunities for their success both in their jobs and in their roles as parents. Obviously, the success of a parent must involve the participation and contribution of the parent. So the Child Development Act envisions a partnership of parents, community, state, and local governments.

Some of the funds which will be provided under the program will go for varying activities, for planning and development of programs, for maintaining programs in the areas of physical and mental health and development, and for food and nutritional services, for maintenance, and construction, and acquisition of facilities, and the necessary equipment and supplies. For programs for children with special needs, children with special problems, and with special emphasis for children from families of bi-lingual parents, where more than one language is spoken in the home, so that these children will develop skills in language that will make their education in the school system easier.

The funds will also be used for medical, psychological and educational diagnosis of problems which children in certain areas may have, or individual children may suffer from. And this is just a very brief sketch of the total range of services, and this is a brief analysis of the scope of the Bill, which is entitled, quite appropriately, I think, the Comprehensive Child Development Bill.

Obviously, we are not trying to create a Federal baby-sitter. What we are trying to do is to provide adequate supervision for children which considers and balances the total needs of the child with a view toward development of the child as a member of the community and society itself.

This legislation is very, very close to fruition. I am an optimist, and would say quite frankly that I believe we are going to see Child Development legislation passed in this session of Congress. But, should my crystal ball prove a bit cloudy, nonetheless, our hearing tonight will be extremely valuable because if it does not pass this year, we begin to work January 1st next year, and we will continue with this effort until we see this legislation pass.

Before this legislation is implemented, whenever the passage date is, whether it is two weeks from now, two months from now, six months from now, we are equally concerned with its implementation. The Congress proposes. The Executive disposes. We have representatives from the Executive Branch, from the Department of Health, Education, and Welfare.

Before the Executive Branch disposes of the funds which will be appropriated for this program, I thought it would be appropriate and helpful both to me as your Representative, and to you as concerned citizens, and to representatives of the Executive Branch who are here tonight to hear from the people. Too often in the past we have passed programs and later learn, in the implementation, without really placing the blame on any individual, with the best intentions in the world, that programs with idealistic goals fail to achieve their expectations or their promises.

And now, before our expectations are too great, it is the appropriate time to question what type of legislation, and how this particular legislation can best be implemented. This is really why I called upon all of you to come to this hearing tonight. We want to hear from parents and community leaders. We want to get the guidelines from those who will live with the legislation.

During the Senate consideration of this Bill, I was really impressed with the statement made by a member of the Amalgamated Clothing Workers. As you know, in Fall River, Amalgamated has really been a leader in this effort, and the Ladies Garment Workers has as well. The Amalgamated Clothing Workers Union has a number of Day Care Centers, four in the Baltimore area alone, and they have had a great deal of experience. I thought the experience of this witness, and her testimony, particularly apt. As she said, during her day hours, she might make a mistake on a garment, but, if she did, the stitches could be ripped out, the seams could be replaced, it could be redone without any mistake in the

final product. But we are working on children. It is not so easy to redo them.

I think we recognize this, that we are dealing with children, and consequently, before we start to plan another Federal program, and before we appropriate Federal funds for the finest ideals, the development of the American child, I think it is quite appropriate to give some time to know how you feel. We need to hear from you. What do you prefer in terms of child care? What are you looking for? What are your needs? You need to tell us how much you can afford to pay, because obviously the Federal program is not going to cover the total costs of the Day Care for every mother. There will be a contribution from those who can afford to pay, but what should a reasonable contribution be? Obviously, you need to tell us the kind of care you expect, and obviously we need to provide training for those who will be involved in the Child Care Program.

I think it is very obvious that in the City of Fall River with the working women who are so vitally necessary to the economy, and whose salaries are so necessary to their families' benefit, that, with this number of working women, and their children, for whose care we are placing a great responsibility under this program, we need to provide answers to these questions. At this point in our history, when we consider Child Care Programs, obviously we should come to Fall River. We should come to you, and so I think this is the point of the meeting this evening. It is not a question of the Federal Government coming in with a Big Sister, Big Mother program to replace the American mother. We could never do that, nor do we wish to.

But how can we help the American mother who wishes to, or who has to go to work, how can we help her see to it that she has peace of mind and the security of knowing that her children are being taken care of. This is our opportunity to shape and control a program that has not yet been implemented, or, in fact, passed by the Federal Government. It is really a very unique moment. And as we consider the problems of our society, and the new roles of men and women, and the new responsibilities that we see ahead, we see a society which is changing almost faster than we can grasp it and cope with these changes. So, for this moment, let us stop—and pause—and reconsider how can we reshape and direct the lives and development of the children in the Fall River area so that their lives will be effective, so that they will fulfill their potential. This responsibility belongs to each and every one of us. I accept my share as your voice in Washington. However, I ask for your guidance, and I will be listening tonight.

Mr. NERNEY. This is a public hearing. That means that everyone is invited to participate. However, the testimony you would like to give, we would like to limit to five minutes, so that everyone who wishes will have a chance to talk. We will limit this portion of the program to about an hour, perhaps a little longer. Afterwards, there will be a recess of 3 or 4 minutes. During this time, you will have the opportunity to write out your questions if you wish, and we will answer them from the table up here, or you can offer the questions from the microphone if you prefer. Those of you who wish to testify, or to give us your ideas or present your problems, your needs, would you approach the microphone, and line up.

Mr. Al Dyson has requested permission to speak first because he has to leave. If anybody else is in that position, why don't you approach the microphone at an early time. Thank you.

Mr. DYSON. Congresswoman Heckler, Distinguished Guests at the Head Table, and Ladies and Gentlemen: I want to first thank you for the opportunity of speaking first. I have a Selectmen's meeting that I have to

attend, and I am about an hour late now. However, in speaking as the manager of the Textile Workers Union, and President of the United Labor Council, and for the Board of Selectmen in Westport, I would like to go on record in favor of the passage of this Bill and we hope that you, as our Congresswoman, will do everything in your power to see that this Bill is passed. We realize that in Fall River there are many, many people in industry, from the Amalgamated Clothing Workers and the Lady Garment Workers, but not only in industry, where many of the women work, but we have an industry where men work, and we know that their wives have to work to supplement their income. We realize, too, if there were special care for their children, while they are working, their mothers would be happier at work, they would be better employees for the company they work at knowing their child is being taken care of properly. I also know many children do not have the opportunity I had when I was younger of having a parent take the child to a relative and be assured that they would be taken care of properly. Many people do not have that opportunity and they do not know where to take their children. But, if we had a program such as this where the people could pay who could afford to pay, and those who could not pay would be deprived of the right to have their child taken care of properly, it would be good. I also believe that this would help with the welfare rolls. I believe that many of our mothers today who are collecting welfare perhaps would not be doing this if they could find a proper place to bring their child, and if this could be done, I am sure it would benefit everyone. And as far as the town of Westport goes, most of our people work in Fall River, and the Day Care Center would be helpful to them in bringing them in in the morning, when they are going to work, and picking them up when they are going back. Once again, I would like to thank you for the opportunity to speak, and I hope that you will do everything in your power to see that this Bill is passed. Thank you very much.

Mr. McNALLY. Congresswoman Heckler, distinguished guests. My name is Richard McNally, and I am speaking in behalf of the Association of Retarded Children of Greater Fall River. We are very much in favor of Day Care, or the Day Care Program, the Comprehensive Child Development Bill. Basically, it is a family matter, and directing our remarks to handicapped children, we feel that this Bill would free mothers of children who are handicapped to pursue careers or an occupation.

The needs of handicapped children, and particularly with those suffering retardation, are very great, as are the needs of their parents. It might very well be the case that the mother of a handicapped child might need this financial support, through an occupation, more than a mother of a child without a handicap of this nature. This would also provide the mother of the handicapped child with a diversion. This would help the mother. We should not always think of work as a diversion, but sometimes it is a change. This would be a change for the mother and help to come back to her home maybe with a little more vigor and the attitude that she could perform her work a little better. We also feel the child is important, and this would give the child an environment where the child would be supervised and controlled and it would be an effective atmosphere for the child. We wish to emphasize that there could well be many cases, and these could affect both parents, mother and father, quite frankly, in which Day Care is for "just the child" in quotes. There are many parents, however, who have children who are adults and that parent would like to work, to be an effective citizen beyond just Day Care in the small confines of their home. Day Care should not



be confining to simply a child, and we should like to see it beyond the age of 17. There are some very important aspects to this, if we are trying to define these aspects in terms of social roles, and, of course today one of them is the economic role. The cost of Day Care runs somewhere between the figure of \$1,200 to \$1,500 a year for the child. To institutionalize the child, the only alternative sometimes for the parent, places the cost on the state, and that means all of us, and that cost is from \$5,500 to \$6,500 a year. This is a tremendous difference. Aside from the fact of these costs, there is the social aspect that the parent would like the child at home. I know there are many similar problems that everyone here might have in these areas. Frequently, we find that these handicaps do develop into welfare problems in some instances. We wish you the best of support and offer you all our support and would wish to give you the backing of our organization in any specific areas in which we might be helpful. Thank you very much.

Congresswoman HECKLER. Thank you very much, Mr. McNally, for your contribution, and I want to say our legislation does envisage the involvement of children with special handicaps. I personally feel that the parents of those children make a very great contribution to society solving problems in the area of their own children's needs. I think that Mr. McNally represents those concerned parents who have done a great deal, and I am very honored to have him participate.

Mrs. MENARD. Congressman Heckler. My name is Mrs. Menard. I am the President of the League of Women Voters of Greater Fall River. The League of Women Voters believes that every man, woman, and child should have equal opportunity, and we believe that the Child Development Act is a step in this direction. There are certain positions that the League has:

First, that the supportive services should be available, but not compulsory, for participants who receive income assistance.

Secondly, that this service should be based on the ability to pay, and free when necessary, and, also, available to the public. We believe that the Federal Government should exert pressure and leadership in setting standards of eligibility, quality of services, and adequate funding. Participants in this program should be included in program development and implementation, and there should be responsibility to the needs of the citizens of Fall River. We would like to go on record as being in favor of our Child Development Act. Thank you.

Mr. OLIVER. I am Clay Oliver, the Executive Director of People, Incorporated, the local Rehabilitation Center for the Multi-Handicapped. Again, I would like to go on record in favor certainly of the Bill you are about to pass. I would like to say, though, this agency does not have children in its program as it is a rehabilitation center for handicapped adults. Many of our workers are severely handicapped, requiring close and continuous supervision within a day or work activity center. There are many severely handicapped adults who are not being provided a program because of a lack of facilities, staff, and income. The parents of these adults who must provide supervision 24 hours a day are unable to work unless programs are provided, and, in many cases, these parents are more restricted than mothers of small children, as there are very few who are willing to accept the responsibility of care for severely handicapped persons, in view of the requirement of close and continuous supervision. This restricts the mother's opportunity to seek increased training, education, and other worthwhile activities. Consider also that these parents have the responsibility for life. This is not to say that we should not have these programs for the young, but that they should be available for all who require them regardless of age. Thank you.

Congresswoman HECKLER. The Federal Government has done very, very little, really, in the total cause of the handicapped. I think that some of the steps that have been taken so far have been well intentioned, but have not reached their goal sufficiently. While we are concerned tonight with children, I think it is very wise for us also to be concerned with the total problem of the handicapped, beyond the childhood years, and I appreciate that contribution.

Do we have another witness?

Mr. DONNELLY. My name is Jim Donnelly, and the hat I am wearing tonight is as Chairman of the Four C Committee. I have a prepared statement that I would like to leave with you in totality, but in the interest of time, and in the interest of everyone here, I would prefer just to excerpt. First I would like to take advantage of the opportunity to express appreciation to you, Congresswoman, for your time and energy, which you have given so much of to provide a legislative vehicle for assisting in the needs of children. I sometimes feel that in this moment of time it is considered expedient to espouse the cause of retrenchment rather than the needs of the child, but we find you are willing to take a positive approach to meeting the needs of children. Thank you kindly.

The prepared testimony of Mr. Donnelly:

First, I would like to take advantage of the opportunity to express appreciation to our Congresswoman for the time and energy that she has devoted in providing a legislative vehicle to assist in the meeting of the needs of children. I sometimes feel that at this moment in time, it is politically expedient to espouse the cause of retrenchment rather than the needs of children. But despite this, we find our Congresswoman willing to take a positive position in a coordinated approach to the meeting of the total needs of children everywhere.

Several years ago, the Massachusetts Committee on Children and Youth conducted a survey of day care needs in several communities throughout the State and in its report on the City of Fall River stated:

"Among the study areas, Fall River was clearly identified as the most deprived. Its educational achievement level was the lowest, its per capita income was lowest, it had the highest percent of working women, and the highest percent of families with annual income under \$3,000.

In an accompanying table, the study showed that 44.7 percent of all women over 14 years of age in Fall River were employed. Study further indicated that 44.4 percent of married women with husbands present were in the labor force and 34.8 percent of this number had children under 6 years of age.

Although the above material was extracted from a report released in 1966, there is no reason to believe that the same comparable statistics are not applicable today. And in view of the fact that there are other representatives here tonight who will address themselves to the need for an expanded day care service program, I will leave that field of endeavor to them for further exploration. I do want to say, however, that we fully endorse day care services for all children who can benefit by this experience and the service should be extended not in relation to the needs of industry, but rather in direct proportion to the benefits that the child would receive from the institution of a network of day care services. Similarly, no parent should be compelled to seek employment because of the availability of a Day Care Center but rather such parent should enjoy the right of choice between utilization of a Day Care facility and the acceptance of other benefits under the Department of Health, Education and Welfare. This should be a cardinal principle and specifically stipulated in any newly created Federal Legislation. A second principle should be the pur-

chase of service from existing comprehensive Day Care Centers prior to the establishment of any new facility with Federal funds. It is important to note that there are varying methods of providing day care and, if it is found in a given community that a consolidation of family day care settings are more productive than a large, centralized day care center, then we should devote our time and energy to the implementation of this kind of program. This could very well be a less expensive program, utilizing a team approach with experts in the field of health, child care, and social services, bringing their special expertise to several family day care units. Only last week we were advised that the State estimates that there are 20,000 family day care homes in Massachusetts and consideration must be given to this large number of units. Why are they used, what services do they provide, what long term benefits accrue through their utilization? Recent studies seem to indicate that home-based and neighborhood based child care systems are preferred by parents.

Licensing of child care institutions, including day care centers, should be brought within the organizational framework of one agency on both the Federal, State, and local level. The Federal Government would seem to have the responsibility of establishing minimum codes for facilities being used for child care programs and receiving federal funds. Such federal standards should serve as a guide, however, and not preclude the establishment of other standards by the several states or local units of government. This would be particularly applicable to family day care homes.

Day care service is one small facet of the overall need for a coordinated, cooperative approach to the problems of children and we need to sit down and examine all of the difficult areas that face children and youth. When professional case workers say to me when a referral of a boy or girl is made at age 13, "It is now too late; why wasn't this child referred to us several years ago?"—this represents an indictment of our present method of operation and we are compelled to search out better ways of aiding children so that the problem child is not identified until it is too late to take corrective action. We do not need study commissions, we do not need a whole labyrinth of local, state, regional, or federal planning agencies to prepare academic papers demonstrating what we already know. I strongly recommend that every effort be made in Federal Legislation to provide for trained case workers who can visit and work with children in their own homes and not wait until they become statistics in our court system or victims of broken homes and then "farmed out" to institutions and/or foster homes. These latter resources are essential in meeting peculiar needs that exist today, but we must take preventive steps to offset the traumatic experience that children encounter when they are forcibly or otherwise removed from their own home.

In our own community, there are no more than a half dozen certified social service persons, and each of these is overwhelmed with his own agency's approach to the meeting of needs. We must amplify, in large numbers, the trained workers who can assist both parents and children before the breaking point is reached.

In this connection, I suggest substantial federal grants to enable schools of social work to provide graduate training to dedicated young men and women who are desirous of devoting their physical, mental, and psychological strength to the enhancing of living conditions for the youth of tomorrow. It is true that para-professionals can perform many tasks previously assigned to social workers, but it is equally true that the paucity of graduate social workers has made it impossible for the social work profession to prove its validity in today's complicated

society. The certified, experienced social worker must be assigned to field work or case work, reimbursed according to his training and experience, and not locked behind a desk doing administrative work because our system fails to recognize the hard working, skilled field person who works on a one to one basis with a troubled family or in a group setting with multi problem children or families.

Lastly, we urge that Title IV-A of the Federal Social Security Act be continued so as to assist communities in taking advantage of these matching funds. Massachusetts has now enacted legislation that will make possible receipt of so called donated funds in meeting the needs of a specific group of children throughout the State and the termination of this open-ended legislation would be harmful in the initiating of new child care programs.

Finally, might I suggest the substitution of the words "child care" in lieu of "day care" for we are now thinking in terms of children's needs and this concept is more adequately described through the use of the term "child care".

Mr. LIONEL GARGANTA. My name is Garganta. I am here representing the Massachusetts Department of Public Welfare. The Department of Public Welfare is vitally interested in quality Day Care services, not only for recipients of Public Assistance, but for all children and parents who have need to be employed, and who are desirous of having their youngsters taught and cared for in a quality setting. This program would be helpful to both those who would be able to work full-time, and those who would be able and willing to work part-time. In Fall River, the Greater Fall River area, we have exactly 300 mothers who are utilizing some kind of service. 225 of these mothers are employed, with the remaining 75 enrolled in a training program. The quality of care received by the youngsters of these parents ranges from very good to minimal. The costs also range from \$6.00 a week to \$35.00 a week. We urge you to enact a program of high quality educational, social, medical assistance available to children, and based on the parents' ability to pay. There should also be a formula and a means of providing adequate funds which hopefully should be to improve the services of Day Care Centers. There should be an appreciation of the different needs of different groups of youngsters, poor youngsters, middle class youngsters, handicapped youngsters. The mechanism for each community should be the 4C Committee. The Federal Government should support the 4C Committee instead of using another approach. It should not be a condition that a mother work if receiving assistance. We stress this because that would not be in the best interests in circumstances where it would be harmful to the child. Each parent is the best judge. Thank you.

CONGRESSWOMAN HECKLER. Before we proceed, I would like to say our meeting is on the Comprehensive Child Care Development Act, and not on the Welfare Bill. The program we are talking about would provide Day Care Facilities whether or not the parents go to work, and whether or not they do so would be on a voluntary basis.

UNIDENTIFIED HOUSEWIFE. I am definitely in favor of good Day Care Programs, and while I was standing in line, I thought it should be re-emphasized that while some mothers wish to go to work, other mothers care to stay home and care for their children. I do not think that those mothers who stay home should be required to seek or accept work just because there are Day Care Centers. Thank you.

Mr. MITTLEMAN. Mrs. Heckler, Guests, I am Aaron Mittleman, employer in Fall River, and represent the Chamber of Commerce, Fall River, as you know, has a crying need for Day Care Centers, and I know that you have

long been in the forefront of the effort for the Child Development Act, and its passage. Supporting Day-Care legislation is like supporting Motherhood. I am sure we all support it. However, I would like to address myself to it again. The Child Development Act as written is discriminatory in that it affords the child and the parent in the underprivileged family advantages to the detriment of others. For example, a working mother in any family, takes care of her family, works, and hurries home to pay taxes on her honest work, and then is required to pay for his children. She works to pay for the privilege of paying taxes, and pay for children whose parents contribute no taxes for their children in Federal Day-Care centers. Supposing she, due to family needs, does not have enough money left to pay for the children,—she may have a big mortgage, her husband may be out of work,—by her taxes she will be paying for the underprivileged child, and not be able to pay for the child of her own. This Bill is inequitable and unfair. My recommendation is Child Care for all children. We provide school to all children now without this difference in ability to pay.

Why should Day Care be different?

I think the school system would be the logical agent for the training and care of the children. The school systems have adequate resources, qualified teachers, supervisors, and the experience and ability, and we should like to see them care for our children. This Bill obviously will send additional personnel to industry and into the labor force, and people not previously able to work will be able to do so. Let us see that these Centers serve the needs not only of a few groups, but all groups, and let's have Day Care Centers for all which operate through the School Department.

CONGRESSWOMAN HECKLER. For the benefit of everyone present, I would like to present the fact that Mr. Mittleman did discuss this with us earlier, and he raised many very pertinent points. Rather than have this answered in some length now, we shall go on with the testimony, listening to those who have come as witnesses, so that their views and ideas can be obtained.

Mrs. SHIRLEY RUDE. I am the mother of three children, and I feel we need Day Care Services in Fall River.

ROBERT WHITE. Congresswoman Heckler, my name is Robert White, and I am Executive Director of Big Brothers. Although this Bill has been in existence since March of 1971, it has not yet been finally put into law, and I am glad to be here to speak. I feel my experiences should be shared in relation to problems of fatherless boys. Accordingly, I have made the following statement, emphasizing the unified aspect there should be for Child Development, by way of statistics.

The comprehensive figures show this area has 5,100 single family homes resulting in 2,500 fatherless boys. The relationship of fatherless homes to juvenile delinquency is quite evident. This shows that a new approach is needed if significant help is to be provided to these fatherless boys. My main concern, in closing tonight, is that there is a lack of concern with the establishment of Youth Programs. Each agency is doing its own thing, and operating in a vacuum. It is important that in the Child Development Program, and similar programs, there be a recognition of the value of providing attention and help to all of our society who, in one way or another, are victimized by circumstances beyond their control, and it is my personal and professional belief that all services supportive of the needs of young boys should be included in this program to help them develop and grow to the extent of their ability. Thank you very much.

CONGRESSWOMAN HECKLER. I would like that during our discussions in the Congress on the subject of the Child Development Act, one of the great concerns was that there

should be some action to involve men as father figures, so that the boys from fatherless homes would have a father-figure, a "Big Brother." This is a concern which I have long shared.

RALPH ROBERTS. Congresswoman Heckler, when I first walked in, I thought Christmas had come early to Fall River. We live in a country that is about to build an aircraft carrier which will cost \$1 billion dollars. If this country can afford to build an aircraft carrier which will become obsolete when it is completed, we have enough money to accomplish this. I want to record the International Ladies Garment Workers' Union as being emphatic in support of our Representative in Washington, you, Mrs. Heckler, in your efforts to bring about the passage of this Bill. We hope it is sufficiently funded, to be meaningful. These programs have only scratched the surface. I noted in your opening remarks that you were concerned over the fact that there should be discussion of the legislation before final action. We hope that this Bill will be approved, and we appreciate your interest and your efforts. Thank you very much.

Mr. HALLERAN. Congresswoman Heckler, my name is James Halleran. I am the Associate Director of the Community Action Program in Fall River, and with Citizens for Citizens. There is a tremendous need for this kind of legislation. I applaud your efforts, and the efforts of those working for its passage. I would like to limit my remarks to my one area of concern. More agencies ought to be working together in this legislation. We need to work together. There should be cooperation and mutual effort, not only between the agencies, but between the agencies and the professional and public and private groups, and especially the parents who are involved and interested in Day Care and Child Development. I think the legislation proposed is very important, and will prove helpful to the entire community. Thank you.

Mrs. JENNY KIRKWOOD. I am a working mother, and there is a great need for Day Care Services. Thank you.

Mr. PAUL POULIS. Congresswoman Heckler, Ladies and Gentlemen: I am Paul Poulis, Director of the Model Cities Program in Fall River. I do not have any special standing, but I am deeply interested in this legislation, and have had a lot of experience working with residents in the Model Cities area. As most of you know, Model Cities is a neighbor in Fall River, consisting of 15 percent of the total population. One of the needs we found in our program was the need for Day Care. We have long had an interest in the hearings and legislation we are talking about now. Consequently, I am pleased to say we will now have a Day Care program which will be developed, a Center sponsored by the Fall River School Department, which will take care of children in the Model Cities Area. I would like to go on record in behalf of the program and fully support your efforts and I believe the testimony being provided here will be helpful in support of this legislation. Thank you.

ALICE KING. Congresswoman Heckler, my name is Alice King. I am representing the Head Start Parents. We would like to express our support for Day-Care facilities. The Head Start parents feel they have received quality help in a quality program. We feel that we have received services not only good for the total child, but the entire family. Thank you.

RON HALBEDER. My name is Ron Halbeder of Head Start. I am a Coordinator. At the present time, we have 240 children. We have a waiting list of 250 eligible children. We are not able to take them into the program because of a lack of funds. We feel it should be for children regardless of income. We favor this bill and we support it, and we will cooperate in every way. Thank you.

HELEN CHATTERTON. Congresswoman Heck-



ler, and our national guests from Washington. My name is Helen Chatterton. I am the local Representative for United Fund in Fall River. I have received many calls from personnel managers. I received a call yesterday from a young girl who had to ask her father to run over and take care of her child while she was working. Like her, there are many who cannot take a job because their responsibilities in the home are so great, and there is no one with whom they can leave their children. I also feel that we should be able to see that there is some way that industry can take part in the Day Care Centers in the community. I hope that through this legislation all this can be accomplished. Thank you.

Mr. TULCHIN. Congresswoman Heckler, Distinguished Guests, Ladies and Gentlemen. My name is Abraham Tulchin, and I am the Executive Secretary of the New England Apparel Manufacturers Association. First, I want to thank Congresswoman Heckler for providing us with this unique experience to share in the legislative process here before the Congress has finally disposed of this legislation. You have been successful in bringing this Bill to the point of the Conference. I know that under this Bill, funds will be used for the benefit of the handicapped and underprivileged children, and for these and those in need two-thirds of the fund will be used. I think that we should point out that we shall try as much as possible in the implementation of the Bill, and in the establishment of the various rules and regulations, that we are taking a positive step in the right direction. There is no question about the need for some of the social and humanitarian assistance of this bill, but we should all try at the same time to increase the number of children and families from the two-thirds to the one-third, middle income groups. Finally, there is one point Mrs. Heckler brought out, and it is especially pertinent. That is the provision for assistance to those of bilingual background in the community. I wish you success and good luck.

Congresswoman HECKLER. I want to say your testimony, and every word uttered tonight, is being taken down by a stenographer, and it will be brought to the attention of the Conferees, and the Congress, in order to convince them to vote for the Bill.

Ed PHILLIPS. Congresswoman Heckler, Distinguished Guests from Washington. My name is Ed Phillips. I happen to be a School Committeeman-Elect and a family man. I endorse the concept of the Day Care Center, but I do it with great reservations. I believe that a program which has such tremendous ramifications should be dealt with very carefully I am interested in our children, and I would like to see them get the fullest benefit possible from every dollar spent.

JAMES ISLER. Congresswoman Heckler, Distinguished Guests, Fellow Citizens: My name is James Isler, Manager of Aetna Life Insurance Company Operations in Fall River and Taunton, and I am representing private industry, and definitely in favor of the legislation you propose. Our firm in Fall River employs in excess of 500 people. The overwhelming majority are women. We started in 1966 with 34, and have grown to our present number since that time. Our future growth is limited by the availability of Day Care Centers, babysitting facilities, and means which exist for the care of children. There is quite a list of applicants who have been unable to accept positions because of a lack of a place to put their child. Further than that, women's lib is upon us, and women in the community have a greater educational and attainment record, and are seeking increasing responsibilities outside the home. We hope that this legislation will be passed, and Miss Andry

Lingard, our Personnel Director, will present further information.

Miss ANDRY LINGARD. Congresswoman Heckler, Head Table Guests, and Friends: I am in charge of Personnel at Aetna Life and Casualty here in Fall River. As Jim said, we have more than 500 working women, and among them are 126 working mothers. This does create problems for us. As he mentioned, I have had to refuse jobs to girls because they have not had babysitting arrangements. This program would be very helpful to the working mother and also to our needs.

Father PERREIRA. As a priest, I am in support of the Bill for the Centers for the whole community. However, permit me to speak in behalf of the silent minority, those who cannot speak English, those who cannot express their desires, their needs, their aspirations, and their anxieties. As everybody knows, we have the largest number of Portuguese in Fall River, and we know the rate of drop-out is very high among the Portuguese in Fall River. My heart goes to children. They are beneficiaries as well as victims, of our society. In a matter of years, they can become illiterates. In a matter of years, they find themselves confronted with a new life with all its complexity. They are very happy they came, and we are very fortunate to have them. Our duty is to make them valuable citizens. We must provide the program and facilities. Language is the main problem during their first years. They cannot communicate. They cannot understand us. It is difficult to adjust to a new environment. They cannot be placed in the regular grades with children of their age. They must be isolated for some time to be given special education. The time element, Mrs. Heckler, is very important in the process of learning, and time is running short for many of them. They must utilize all the time they can, and we must do all we can to see that they do not drop out frustrated and discouraged. This program, I think, would be a blessing for these children, and I am sure it will make a difference in the future of many. They will not be called "green-horns". We would like to have them good citizens, and grow up normally. In conclusion, I do not know of any other program which would benefit so many in Fall River as this. Thank you.

ROSEMARIE SPEAK. Congresswoman Heckler, I am a Head Start mother. My name is Rosemarie Speak. I am the mother of five children. I think Day Care is a very worthwhile program, and we need it desperately in Fall River. Thank you.

Doctor NAGLE. Let me tell you that you have been most patient in listening to us. I am concerned only with the Title of the Act, the Comprehensive Child Development Act. I am interested in that part which develops the child. As I look at the Act, I am talking about the benefits that can be made available to the child from a comprehensive viewpoint, those of education, psychological, health, and social service nature, and to children 1, 2, 3, and 4 years of age. Pre-natally, all children get very good service. Post-natally, they get excellent service, and then they are about to be forgotten whether or not they are deprived. We find children approaching the first grade emotionally and physically impaired. We say, give us comprehensive Centers so that at an early age we can make a determination as to those who need aid, and determine those who have limited sight, hearing, developmental abilities, whether or not of a physical or mental nature. We have had experts with Follow-Through and Head-Start experience working on these needs, and we know we are equal to them. We can do it. As you approach this Act with 2 billion dollars for Fiscal 1972, we hope that you will support the needs of the economically disadvantaged, who should obtain the child services free if they are un-

able financially to afford it. Those who are able to do so can pay for the services. All of us in Fall River may be poor in one way or another. We need to work together for the success of this program. Thank you for the opportunity to speak, and I encourage you, and hope you will go on to greater things.

Congresswoman HECKLER. Mrs. Holmes, we could not end without hearing from you, after all the work you have done.

Mrs. HOLMES. I am President of Local 177 of the Amalgamated Clothing Workers Union. I chose to be the last to endorse this program here tonight. We need it desperately in this area. Thank you.

Congresswoman HECKLER. Thank you.

We have had a number of questions come up to the table here. In view of the fact we have the experts here, I would like to give a few minutes to our experts to allow them to make their contribution. First, I would like to call upon Mrs. Elston who knows more about Child Care than many others, and who has followed it very, very closely. I think she can answer some of the questions that have been raised. I would like to introduce Mrs. Elston.

Mrs. ELSTON. Thank you. I am truly very impressed by the array of witnesses who have appeared here, and I have considered very carefully what they have said. Needless to say, many of these same remarks have been made before. The intent of the Members of the Congress who developed this legislation was to build on the experience of what began as an experiment, Project Head Start, and to expand its borders to the point where numbers of children who are economically disadvantaged can be brought into the program, and to continue to build Child Development Programs for children who need them year after year after year. It is not really a criticism to say this program should be for everybody. The feeling that the program should be for everybody is really a fine thing, not a criticism, but it does represent a little impatience.

You cannot build a program that is multiplied ten times in the space of a year. Our experts have indicated that programs for children of high quality can grow at about the rate of 200 or 300 million dollars a year. It means that if someone gave us 20 billion dollars a year to spend, we could not spend it. We would need facilities, staff, training, studies to determine the wisest places to locate them. This should not discourage us. It should give us a feeling that we are taking the first step, the first big step, to build what will be in the future a program for all children. Now, several people have experienced the feeling that the Child Development Program should be in the form of an extension of the school system. We think the school system plays a very important part in Project Head Start. Many of the grantees are local school systems, but we feel that a good Comprehensive Child Development Program is more than an educational program. As someone said tonight, this is a Bill for the family as well as for the child. The Comprehensive Developmental features can be designated as educational, nutritional, psychological, remedial, health, and parent involvement, which has made a great difference in the sense that many parents through involvement in Head Start have opened new vistas in their own lives, through awareness of opportunities, and new interests. We would expect the Comprehensive Child Legislation would expand this. There is another point concerning programs after school for school age children. Very few school age institutions have moved into this field and we hope that through real community effort, school systems will realize that special programs for youngsters who do not go home to lunch would be valuable and effective. Only a few cities have top-notch school aid programs

in this area. This legislation we are concerned with tonight will be a push to the development of these other programs, and this will be an indirect advantage and benefit.

Let me close my comments by trying to give you some feeling for what the next steps will be. I know you are impatient to have new Day Care Centers built, but I think we have to look to what the next steps are. If this law is enacted, and to become law it has to come out of the Conference, and be agreed to by both Houses of the Congress, and then it goes to the President, and if he signs it, it becomes law. After that, my Office, the Office of Child Development, will have to ask Congress for money to carry this Bill out. There are not specific allocations of amounts in the Bill. These amounts must be requested by the Department. We will have to ask for specific amounts of money which will enable us, through our Regional Office, to then fund the various State and local programs operative. The gentleman who spoke about community health planning suggested a model that might be carried on into the Day-Care movement. Thank you for your time, and I hope that your hopes will prove justified.

Congresswoman HECKLER. Thank you very much, Mrs. Elston. We are going to go on now to the questions since our visiting experts are anxious to hear them, and to give their point of view. The first question is, "To what degree is the Bill politically motivated to appeal just to the middle class?"

Mrs. Elston, responding: Dr. Ziegler of the Office of Child Development, my superior, feels strongly a socio-economic mix is a really good thing in a Child Development Bill. He thinks children from different economic and ethnic groups can learn from each other. It is not a one way street. There is a growing body of research to back this up. In the Head Start Program, we have developed a program whereby 10 percent of the children in the programs can be non-poor. So, this is a philosophically thought out approach, not just a political maneuver.

Congresswoman HECKLER. I will say from my investigations of Day Care Centers in the Fall River area, and outside of the District, that I have seen a very, very healthy mix of children, and it would be a most unfortunate and undesirable event to have the Federal Government create its own ghetto, and have just one group of children from one background, economically oriented to one group, or dominated by one group. The best society is the integrated, the mixed one, whether Irish, Portuguese, black or white, one group can give to the other. This was the rationale behind the Bill.

These questions are excellent. There are so many of them.

Another question is: What are the maximum and minimum age levels? Does the Bill include infancy, from three months and up?

Mrs. Elston. The Bill specifies zero through age 14. I would like to comment on that in view of the fact that several people from organizations representing handicapped were included in the testimony. We would hope that in our regulations we can make an exception to extend that age factor in the case of some groups of handicapped children who would require the kind of protective care because of a handicap that a younger child might require could be provided for. This is something we will have to take up with our lawyer people. But, as the Bill is written, the age is zero through 14.

Congresswoman HECKLER. This is a question which asks: "As a parent and former Head Start worker, and as a student at Bristol Community College, I feel that I am not adequately aware of the entire provisions of the Bill. Should the issues, and the Bill, not be brought to the attention of the nation?"

As the Representative of the District, it became obvious to me that the Day Care legislation was very necessary, and for that

reason, I have concerned myself with it so deeply. I agree, and we want public awareness.

Another question is: "As the Bill stands, what is the role of the state?"

Mrs. ELSTON. It is pretty hard to say because the House and Senate versions are different. But, very briefly, there is a very strong emphasis on communities doing their planning, deciding what needs to be done, either as the planner for those who do not want to do for themselves, or as the adviser. The emphasis is a very strong one upon community action.

Congresswoman HECKLER. Would our State level Representative, Jean Cimarosa, have a comment on that?

JEAN CIMAROSA. I am not certain whether I should take a position that the State involve itself in a direct and immediate manner. As a representative of the Task Force Commission on Women, I have tried, and we have tried, to look into what kinds of programs are being proposed, and which are worthy of our encouragement. We endeavor to interest the State Legislature and the Governor. We do want to see Day Care Programs and see them in the most truly meaningful and effective setting.

Congresswoman HECKLER. Thank you very much, Jean, and particularly for the vital role that you have played on the Task Force on Women. I am so glad that you have been able to be with us this evening.

There is another question now. It is a question on working mothers. "Can a mother working in Fall River, in a different shift than the regular one, say, from 7 to 3, leave her child off at 6:30?"

Mrs. ELSTON. The Bill would make provision for different modes, and different time frames for the Day Care Centers, suited to the particular needs, and the problem facing working mothers, who would be in an early hour shift, would, of course, be considered, and a setting could be established to make their employment possible.

I want everyone to know who has submitted a question in written form, in view of the lateness of the hour now, that these questions will receive my attention, and I will try to find a forum for presenting the answers to you, through the press, inasmuch as many of them do not contain addresses, so that I can personally respond to you, and I will send out a press release continuing to provide information to you as I have been doing.

At this point in the evening, we should take time for refreshments. We should have some food for enjoyment now that we have had so much food for thought.

The last question that I have in hand is: "What can we do to help in the passage of this legislation?" I would answer you that you should write to your Senators, to President Nixon, telling the President and our Senators how much you care about the Bill. And in the future, please keep me informed as to what you consider the Bill's and the program's assets and liabilities. I am delighted to hear from you.

I appreciate very much the testimony of the witnesses this evening, and their wonderful contribution, and the assistance of our panel of experts. I hope that through this grass-roots expression of continuing support, greater encouragement will reach from the State House to the White House, and to the Congress. Thank you very, very much.

#### TAKE PRIDE IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. MILLER), is recognized for 5 minutes.

Mr. MILLER of Ohio. Mr. Speaker, to-

day 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 educational opportunities for Americans are the best in the world. The founding of one form of American education—the academy—is traced back to 1749 when Benjamin Franklin founded the Academy and College of Philadelphia. Franklin was appointed first president and seven young men were awarded degrees as the school's first graduates in May 1757.

#### FLOOR STATEMENT ON NARCOTICS TRAFFIC IN LATIN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, I rise today to call the attention of this body to a new drug menace which threatens to undo so much of the hard work done in Europe and the Middle East by our State Department negotiators and our agents in the Bureau of Narcotics and Dangerous Drugs.

In our attempts to halt the horrifying flow of heroin to the streets of this country, we have for the past 10 years been concentrating on such key production, processing and transit points as Turkey and France. Now that we may have begun to make some progress on these fronts, Mr. Dana Adams Schmidt—a noted New York Times journalist who has successfully kept the American public abreast of important developments in the area of international narcotics traffic—has recently called attention to the fact that Panama may soon become a main transit point for heroin entering the United States.

Rather than merely submitting Mr. Schmidt's article into the RECORD, I would like also to provide some background on the narcotics situation in South America in general, so as to put this new development in a larger context.

Illegal traffic in drugs has risen sharply in South America over the past decade. The most serious problems have involved cocaine, a derivative of the coca; marijuana, which comes from the hemp plant and dangerous synthetic drugs. The result of this production and processing has been an escalating flow of drugs into Europe and the United States. A further complication has been the increased transit of heroin and other narcotics, shipped or flown to South America from Europe and destined for the United States.

Most of the coca leaves grown in Bolivia and Peru are used for chewing by the indigenous population, while small amounts are used for medicinal and industrial purposes. A third use is conversion into cocaine. The leaves are refined into cocaine—100 kilos of leaves are needed to process 1 kilo of cocaine—in a huge network of secret laboratories. The cocaine is then smuggled from Bolivia into Brazil, Paraguay, Chile, and Argentina, and from Peru into Brazil, Ecuador, Colombia, and Venezuela. From Uruguay, Ecuador, and Venezuela, the



drug is shipped or flown to Europe and the United States.

Although marihuana is outlawed throughout South America, the drug is in common use in every country on the continent with the possible exceptions of Chile, Bolivia, Peru, and Argentina.

To cite an example, there are thought to be over 400,000 marihuana users in Venezuela alone. Just as in the United States and Europe, marihuana smoking cuts across age, class, and economic categories. As an illustration of the profit potential in the smuggling of marihuana, one need only point to the fact that the price rises from \$1 per pound when it leaves the Colombian farm to \$220 by the time it is sold to the Venezuelan consumer.

Traffic in dangerous synthetic drugs, especially to and within Brazil, is growing dramatically. Seizures in Brazil for the year of 1966 were as follows: 4,000 ampoules of Pervitin from Argentina; over 300 vials of Dexamyl from Uruguay; 3,000 tubes of Stenamine from Bolivia, and 1,500 tubes from Argentina. Two years later, Brazilian officials seized 4,000 tablets of various psychotropic drugs. These figures give a frightening indication of the scope of the dangerous drug problem in Brazil. Other South American countries, such as Argentina and Paraguay, seem to be involved in the production and transit of these synthetic drugs.

The main significance of South America in the world heroin trade is as a transshipment point between Europe and the United States, rather than as a location for the production or processing of opium. Over the past 5 years, there has been evidence of such trafficking in various South American cities, including Buenos Aires, Santiago, and Rio de Janeiro.

I wish to call attention at this time, Mr. Speaker, to a new development which may prove even more dangerous than the flow of cocaine and marihuana. According to a New York Times news article, which I wish to submit into the Record, major new heroin conduits are opening up in the Panama area of Latin America.

At a time when we may finally be reaping the benefits of 10 years of negotiations with Turkey—to cut off the supply of opium to this country—we can hardly afford to have a new pipeline open up to the near South.

Every precaution must be taken to see to it that this fresh source of heroin supply is quickly dried up. Panamanian officials, as well as the legislative and executive officials in all other drug production, processing, or transit points, must be made to realize how critical the problem of heroin addiction has become in the United States. We must assure them that we are ready to cooperate with them in stemming the flow of narcotics to the streets of our cities, and that we will no longer stand idle in the face of those governments which fail to honor international agreements in the area of narcotics control.

The article by Dana Adam Schmidt follows:

#### UNITED STATES SEEKS TO END LATIN DRUG FLOW—NARCOTICS CHIEF VISITS AREA—PANAMA A CONCERN

(By Dana Adams Schmidt)

WASHINGTON, November 29.—John F. Ingersoll, Director of the Bureau of Narcotics and Dangerous Drugs, is visiting Latin America in an attempt to block off major new conduits of heroin and other drugs into the United States.

High-ranking officials of the bureau declined to give Mr. Ingersoll's itinerary but authorized this quotation: "Latin America is now up to its ears in heroin."

They indicated that he would be especially concerned with Panama, which he visited last September at the invitation of the country's strongman, Gen. Omar Herrera Torrijos.

The officials gave the following reasons for the bureau's interest in Panama:

Some pilots and crew members and some air passengers, have been carrying heroin processed in France to Panama and returning to Europe with cocaine that originates in Latin America.

Smugglers finding United States controls on the East Coast increasingly tough have been trying to slip in through routes from the south.

With 2 major and 10 minor seaports and 100 airfields surveillance in Panama is exceptionally difficult.

In a report to Representative John M. Murphy, Democrat of Staten Island, the bureau listed several reasons for satisfaction about the way Panama's drug controls were developing but also said there was cause for acute concern.

#### TRAINING COURSE HELD

As a result of Mr. Ingersoll's September visit, the bureau conducted a two-week seminar on narcotics enforcement for members of the central narcotics unit of Panama's National Guard. This unit has been increased to include 20 officers. A joint enforcement task force was in operation from Sept. 20 to Oct. 29. Panama is studying an extradition treaty that would include drug violators.

Further training programs and a large-scale project to eradicate marijuana on Las Perlas Islands of Panama have been planned.

On the other hand, the report said, "It is clear that the Republic of Panama has not and is not paying sufficient attention to narcotic enforcement activities to achieve noticeable results. This may be due to high-level apathy, ignorance and/or collusion. Unless the Republic of Panama is sincerely willing to put forth the necessary effort to combat the traffic, the republic will continue to serve as a conduit through which vast amounts of illicit drugs are funneled en route to the United States."

Illustrating the importance of Panama in the drug traffic, the bureau reported to Mr. Murphy's sub-committee on the Panama Canal that in the last 12 months 641 pounds of heroin had moved through Panama was seized in four separate operations in the United States.

Along with heroin, much of the cocaine that reaches the United States is being shipped through Panama, the report said.

Among Panamanians arrested this year in connection with drug seizures was the chief of air traffic control at Tocumen Airport in Panama, and the son of a Panamanian ambassador who was said to have tried to use a fraudulently obtained diplomatic passport to get 156 pounds of heroin through customs at Kennedy International Airport in New York.

#### THE U.N. THE BEST HOPE?

The SPEAKER pro tempore. Under a previous order of the House, the gentle-

man from Ohio (Mr. ASHBROOK) is recognized for 30 minutes.

Mr. ASHBROOK. Mr. Speaker, the idea of "one world" has appealed to many through the years and has always had its share of adherents in the United States. Most of them, in these days of labeling everyone, would probably be found among modern liberals. Many of these same people also believe the U.S. Constitution should be ignored, discarded or rewritten, and that patriotism is a square and outmoded form of chauvinism. They seem to think that our Government cannot handle the problems of this era independently.

Through a propaganda barrage spanning a quarter of a century a number of our citizens have been led to believe that the United Nations is the only answer to the many problems besetting mankind. I think this view is especially prevalent among students, who are taught that the U.N. is the sole keeper of the peace and our last best hope. The obvious failures of this world organization, however—which promised so much and delivered so little—are too often ignored or glossed over. But a realistic look at the record shows the U.N. has been largely impotent and even the smaller nations have thumbed their noses at the world organization whenever it suited their purposes.

One fatal flaw has been the double standard which exists at the U.N. Americans have clung to the hope for the past 25 years that this organization would help bring about world peace. Instead we find increasing evidence to indicate that we are being taken for a sucker in many of its efforts. This sad truth has come from the fact that in no sense is this a body of united nations. Working within the framework of the U.N. is a hard-core Communist bloc not even remotely united in the same beliefs and aspirations which motivate American policy or interest.

There is very little in the way of tangible accomplishments to which supporters of the U.N. can point with pride. Since 1945, when the organization was founded, 75 armed conflicts have been fought between nations of all sizes, including bloody civil conflicts. Undeniably, some of these wars would more accurately be classified as skirmishes, but by whatever name, they belie any claims that the U.N. has been successful in keeping the peace. The Communist aggression against South Korea which was stopped under U.N. auspices has been frequently hailed as a major achievement of the U.N. But the United States bore the brunt of the fighting and lost 33,000 men in battle. At no time did the troops of other U.N. members in Korea amount to 10 percent of the American force of 450,000 men at peak strength. The U.N. "victory" in Korea was in point of fact actually an American achievement, reached through a costly sacrifice in blood and money with minimal support from other U.N. members. Now, significantly, the Nation branded as an aggressor in that conflict, Red China, is welcomed to the U.N. without one word of repentance.

Examples of the U.N. ineptness in maintaining peace and solving world problems abound. To give just a few ex-

amples: the problems of the Middle East are still far from settlement although the U.N. has been active in that area since the establishment of Israel as an independent nation in 1948. The United States, not the U.N., has been the stabilizing influence there. In the Congo, prolonged U.N. "peacekeeping" activities destroyed Katanga in the early 1960's and contributed little if anything to the stability of this strife-torn area. In fact, the U.N. force invaded Katanga. The truth is that American assistance in the form of funds and equipment enabled the U.N. to wipe out the independence of Katanga—the only part of the vast Congo territory where a semblance of order had been maintained after the withdrawal of the Belgian colonial administration. The U.N.'s impotency to take appropriate action when confronted with solid evidence of brutal Communist repression following the Hungarian anti-Communist uprising in 1956 is another case in point. The U.N. appeasement of Communist aggression in Hungary was later compounded when they accepted the credentials of the Soviet-imposed Hungarian Government. And again in 1968, the tragedy of Czechoslovakia proved the U.N. inept when confronted by Communist repression.

#### U.N.'S DARKEST DAY

Already well aware that the U.N. was not the answer to the world's problems and crises, any vestige of hope I harbored that this organization might, in spite of its inherent weaknesses and sorry record, still perform some useful function were dashed on the infamous day when the Red Chinese were admitted to membership and the Republic of China expelled. The U.N. decision to expel one of the signatories of its original charter and a nation representing more than 14 million people—larger than 100 of its members—in response to a resolution offered by Albania, a nation with less than 2 million people, sounded the deathknell for that body, in my opinion.

It is well to remember that on February 11, 1951, the U.N. General Assembly passed a resolution branding Red China an aggressor as a result of its instigation of the Korean war. That resolution still stands. Between 1951 and 1960, the General Assembly did not include the question of China's representation on its agenda. Then on December 15, 1961, it adopted a resolution which declared that the representation of China was "an important question." This meant that any future proposal on the matter would require a two-thirds majority to pass.

Having abandoned that long-held position in this session when the Communists triumphed in the crucial procedural vote 59-55, stating that the representation of China would no longer be considered an important question requiring a two-thirds affirmative vote, the way was cleared for the shameful travesty which followed—the ouster of a longtime ally in order to provide a seat for the brutal Red Chinese bandits. The 76-to-35 vote, applauded by the Soviet Union and many other exuberant delegates—and without a single NATO ally voting on the U.S. side—clearly delineates the rock bottom level to which our prestige has sunk.

#### THE LESSON OF RED CHINA

There are two aspects of the infamous China expulsion vote in the United Nations that bear thoughtful consideration by all Americans. First, it clearly shows the fact that the United Nations has little if any moral standing in the world and that it is clearly a political body, nothing more. It is clearly not a safe repository for any of our security and deserves only minimal support to provide for its expensive con game as a debating forum.

There was really only one basic issue behind the vote on Monday, October 25. Free China was thrown out of the United Nations for no other real reason than the fact Red China made it a condition of its admission to the United Nations. Strip the debate of its rhetoric and this screams out loud and clear as the basic reason behind the 76-35 vote.

Compared to most of the nations which voted against it, Taiwan was a model government. No iron curtains, no aggression against its neighbors, no record of infamy. While not necessarily a democratic self-government by American standards, by U.N. standards or Asian standards it is a jewel.

Second, the Nixon administration must share the major burden of blame for this Communist triumph. President Nixon went full circle in less than a year. The battle changed from keeping an aggressor nation unfit under the U.N. Charter from membership to a policy which supposedly fought to keep Taiwan in the U.N. The facts do not treat the Nixon administration and the State Department kindly.

First it was suggested that the United States would adopt a "two-Chinas" policy because of world realities. Soon it was necessary to give Red China the seat on the Security Council that Nationalist China had to get them to accept membership and get support for our policy. Red China wanted nothing less than the total expulsion of Nationalist China and by this time the State Department position had deteriorated into a sickening "we are fighting valiantly to keep them in" strategy. This is bunk. They knowingly opened the floodgate and even undermined Taiwan's position by having Henry Kissinger in Peking at the very time the U.N. debate was raging.

The adverse side effects will be coming in for months and years ahead. Take Cuba: Latin American countries will say "If Nixon plays footsie with the Red Chinese, we can with Cuba, too" and that Communist country will benefit from our foolish China policy.

Nothing short of a national brainwashing campaign has been conducted regarding Red China. Many commentators now refer to it exclusively as "Mainland China." James Reston of the New York Times took it to the very extreme in writing that the real concern was whether the United States could convince Chou En-lai of our sincerity. Imagine that as the height of idiocy—we must convince the bandit leader of a murderous regime which has put to death between 20 and 40 million Chinese, of our good intentions—our good intentions. It is a good indication of just how

far we have gone down the track in capitulating from our previous position of strength.

If nothing else, we should have learned a hard lesson from our humiliating UN-China experience. The lack of support we received from our "friends" points up the accommodations that other nations, including those most closely tied to us, have made with the forces of world communism. This first bitter pill is probably only one of the many the United States will have to swallow now that the Soviet Union and the Communist Chinese are both in the U.N. Security Council and openly dedicated to the enslavement of the peoples of the free world under the Communist yoke.

#### WE GIVE TOO MUCH FOR TOO LITTLE

Many persons, both in and out of the Congress, have demanded a reappraisal of our financial backing of the U.N.—and even our continued participation in that organization—on the heels of the China vote. This call for a reevaluation of our role in that world body has been criticized as reflecting a "sour grapes" attitude. It is said we are acting as a spoiled child might because we did not get our way. It is a matter of record, however, that many of us have been expressing misgivings on this subject for at least the past decade.

The taxpayers support enough domestic frauds at home. There is no reason to perpetrate an international one. As I have indicated, it is not only because of the China vote—a case of taking our marbles and going home—it is because of the very clear pattern of perfidy over the past decade in the U.N. What the U.N. promotes at this point is not a product that we should underwrite. Let it get its money from the bandit nations and free riders who dominate it.

I believe we should stay in the United Nations but it is long past time that we begin decreasing our support, both financial and otherwise, to it. Why should the American people continue to carry the financial burden of an organization that consistently works against those things which are in the interests of the United States? This is especially true at a time when we are having our own economic problems.

There is no question in my mind that the effectiveness of the United Nations has been minimal at best. Its so-called peace-keeping activities have pretty much been a failure. Nearly every issue has been resolved in favor of Communist governments. Any peace that the U.N. is working for seems to be on Communist terms.

Commonsense would dictate a drastic cutback in our financial support of the U.N. As I see it, under no circumstances should the United States contribute more than its proportionate share based on its vote—approximately 1/130th of the cost. I certainly do not believe the American taxpayer is getting a justifiable return for his investment in the U.N. We are paying one-third of the budgeted costs of that organization or nearly \$110 million per year. All other countries contribute much less and some of them pay nothing. The Soviet Union pays far less than we do, yet they have three votes, in



effect, to our one. The dozens of small countries which make token or no payments each have a vote equal to ours.

The U.N. is \$180 million behind in dues collections and other assessments from its members, and the Soviet Union owes nearly half of that sum. Some 76 nations are delinquent. Most of the trouble stems from the pernicious idea—pioneered by the Soviet Union—that a member need not pay for a budgeted or properly voted U.N. activity of which it disapproves. The result is the Soviet Union owes \$87 million, and the rest of the Communist bloc owes the United Nations another \$31 million. Therefore, the world Communist front owes nearly \$118 million to the organization which just voted to accept another Communist country.

It is totally unrealistic for us to bear the lion's share of the costs of a body that supposedly represents all the nations of the world and allots each member equal voting rights. Or, looked at another way, why should we foot more than one-third of the U.N. bill when we have only 6 percent of the world's population? Until the Communist bloc and other delinquents pay up, the United States has no business hitting our taxpayers for another penny. The financial backing we have given this organization over the years has not inured to our benefit any more than the billions of dollars we have poured out in foreign aid to friend and foe alike.

#### SPY NETWORK

Almost since its inception the U.N. has afforded a convenient base for the vast Red espionage apparatus. Through the years there have been a number of spy scandals involving U.N. personnel. Those caught redhanded have long since been kicked out of our country. But the number of official personnel of the Soviet bloc reaches almost 1,000. We can be sure in the face of compelling evidence that the majority of these representatives—although in our country openly and officially—are covertly pursuing intelligence activities which present a real threat to our national security.

One Soviet defector, a former officer of the Soviet State Security Service, has stated that between 70 and 80 percent of all personnel assigned to a Soviet diplomatic establishment are in the intelligence field. Certainly the recent wholesale expulsion of 105 Soviet diplomatic representatives in Great Britain points up the scale and nature of Soviet spying.

The prevailing mood of detente has led to an alarming laxity in dealing with Soviet and other Communist-bloc undercover agents. One of the reasons I so vigorously oppose diplomatic recognition of Red China is because they will do the same thing the Russians have historically done: use their official representation as a ready means of bringing intelligence personnel into this country.

Looking back through the year of "diplomatic," "trade" and "cultural" relations between the free world and the Soviet Union, it is clear to what extent these "relations" have facilitated the immense expansion of the Communist world. Now with the Chinese Communists joining them in their clandestine mission of ferreting out the most sensitive data regard-

ing our scientific and technical developments, our military defense program, and the future plans of our Government, we can see how vulnerable we are as these subversive machinations mushroom at the crux of the Eastern Seaboard. Evidence clearly exists to show Red China's new U.N. delegation is led by espionage-oriented delegates.

#### SECURITY COUNCIL STYMIED

Almost from its inception the Security Council has been stymied in its efforts to carry out its mandate. The U.N. Charter assigned to the Security Council the primary responsibility for "the maintenance of international peace and security"—the most important function envisioned for the world organization. But carrying out this responsibility proved to be too much, given the crippling effect of the veto power wielded by the five permanent Security Council members. These seats were assigned to the "big five" World War II alliance of Nationalist China, France, Soviet Russia, the United States and the United Kingdom.

Only a few months after the San Francisco conference which spawned the U.N., the Soviets cast their first veto. They have now cast more than 100 vetoes. Whenever they believed the issue under consideration could retard the interests of the world Communist movement or in any way strengthen or foster the goals of the free world, the Soviets have not hesitated to block Security Council action. This indiscriminate use of the veto power by the Soviets contrasts markedly with the extremely limited use exercised by the rest of the permanent members of the Council. Consider, for example, the restraint of the United States. For 24 years we never cast a veto. It was not until last year that we first exercised our veto power, and then of course it was not in bad faith or for ulterior motives.

The U.N. double standard is probably one of the greatest pitfalls it faces in trying to be a viable instrument of world opinion and decisionmaking. Its hypocrisy in many areas has prevented it from being a moral power in the world. It is purely political, nothing else. Even in the recent Red China fiasco its hypocrisy was obvious. Nationalist China was expelled from the United Nations not for anything it has done or for any violations of the U.N. Charter but because Red China placed the expulsion of Nationalist China as the "price" of its own acceptance of membership in the body. That the majority bowed to that position to throw out a nation which had maintained a good record and replaced it with a nation which has lived in constant violation of the U.N. Charter shows the double standard.

However, the best example I received on this double standard came in the first years of my service in Congress. I had occasion to read an issue of the UNESCO Courier, issue No. 10 to be exact, and I was offended by its blatant accusations of racism against the United States and Great Britain but, in discussing racism in the world, made no mention of the Soviet Union. Anti-Semitism and liquidations of racial groups by Communists behind the Iron Curtain has been so well documented as to not really deserve more

than cursory mention here. I wrote to the Director General of the UNESCO and asked why the Courier article contained no reference to Soviet racism. His reply was that UNESCO only covered those instances of racial strife which the governments documented and since the Soviet Government denied that minorities are persecuted in the Soviet Union, there was nothing to report. Consider that strange double standard when you hear someone say that the U.N. has any chance of meaningful solution to world problems. Just deny they exist and the U.N. will look the other way.

Other instances of hypocrisy could fill scores of pages. The U.N. looked the other way when India invaded friendly Goa. It sought to get economic sanctions against Rhodesia, South Africa, and Angola by labeling them as a threat to peace. None of these nations is a threat to peace and their racial policies would be on a par with many of the nations voting for sanctions, particularly the Iron Curtain countries. Yet there is always this double standard.

I have examined the work of the United Nations Educational, Cultural and Scientific Organization—UNESCO—in the past and have strongly criticized many of its activities which downgrade our country while ignoring in other countries flagrant examples of the very things we are castigated for. UNESCO's orientation flies in the face of the harsh reality of east-west confrontation. Its whole thrust seems to be a nebulous concept of utopian one-world citizenship at the expense of subordinating our educational system, national patriotism, and who knows what else to their fuzzy thinking.

Last year, UNESCO conducted a symposium in Finland commemorating the 100th anniversary of the birth of Lenin. Lenin's bloody record of suppression and murder is a matter of history. But this fact, and the opposition of the United States to the event, did not deter the one-worlders. UNESCO went ahead and dedicated the meeting to Lenin.

#### OUTLOOK FOR THE FUTURE

I have tried to give some idea of why I believe the image of the United Nations as man's last best hope for peace—fostered by the U.N.'s excellent job of promoting its own cause—evaporates when we take a hard look at the realities of its record. Many of the U.N.'s problems stem from the fundamental philosophical error underpinning the foundation of that body. The central difficulty is accepting the assumption that a large collection of nations could in fact work together in harmony to guarantee world peace. The inclusion of the Soviet Union—and now, alas, Red China—is alone enough to explode that notion, but there are a good many other nations as well which have no desire to get along with each other or with us. The U.N. is in fact founded on a delusion.

A basic reality of the U.N. through the years has been to provide the Communists with a handy propaganda forum to advance their ideology and political objectives. They have used it in their own self-interest. We will probably be treated to more of the same for the capacity of the U.N. to create mischief

and anti-American propaganda seems undiminished.

Proposals for world government and world police forces should be rejected out of hand. What responsible government would entrust the future and safety of its people to an organization that has been foundering ineffectively since its creation? American sovereignty is not a threat to peace. In fact, the best hope for world peace in the face of the Communists' announced intentions of world domination remains, like it or not, in a strong, sovereign, independent United States. Whither the United Nations? We can cooperate in the U.N. in its political debates but it is not a safe or proper repository for our security.

#### VIEWS ON CHILD DEVELOPMENT SECTION OF OEO CONFERENCE REPORT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. QUIE), is recognized for 60 minutes.

Mr. QUIE. Mr. Speaker, as a long-time supporter of the child development concept and as an individual who feels that there is a definite need for expanded services, I am taking what I am sure is a view unpopular with people who are very strongly in favor of child development programs. It is my feeling that the legislation reported by the House-Senate conference on this subject is so unworkable that I would rather see no legislation passed at this time than see this bill become the law of the land. I would hope that the conference report will be defeated and that the Congress will go back to work and report a reasonable and rational bill which will truly meet the needs of our Nation and its children.

In discussing this child development bill it is obvious that a tremendous amount of confusion and misunderstanding exist. Much of the problem centers around the delivery system. Not the question of who may operate individual projects but who is eligible to be a prime sponsor.

It is important to understand the distinction between the two. A prime sponsor is the mechanism through which a child development council—the overall administrative mechanism—is established and an overall comprehensive plan for services is developed. Under the prime sponsor there should be a number of individual operating programs—each following the same rules and regulations promulgated by DHEW—but each individual program operator would not deal directly with HEW. There are few restrictions as to who may operate a program since they should deal with the prime sponsor.

The point of confusion seems to be who is eligible to submit an application as a prime sponsor. As the bill presently stands, if a city—with a population of 5,000 or more—a combination of localities or a State submits an application for prime sponsorship to serve the same geographical area, the Secretary is mandated through this legislation to approve the city's application if it just meets minimum requirements. Even if a com-

bination of localities or the State is better equipped or has a greater capacity to administer programs which serve the needs of the particular area, the Secretary must still approve the city as the prime sponsor.

For a perspective on the problem, it is important to think about the potential number of applications which might be submitted directly to the Federal Government. If one thinks of this program in terms of education, you could say that being a prime sponsor would be like being a school district.

If the bill as reported by the conference stands, it will in effect be turning the clock back by decades. To understand why, look at the history of school districts. In 1900 there were over 100,000 separate operating school districts in the United States. In 1959 the number was down to 40,500. Through the years most of them found that they were simply unable, because of their small size and limited number of students, to effectively and efficiently run a school system, to say nothing of increased administrative burdens which vastly increase when they deal directly with the Federal Government. Consequently, they moved toward consolidation. By 1969 there were only 19,200 public school districts, a 21,300 drop in just 10 years. Today there are approximately 17,000 school districts and the number is dropping by about 1,000 per year.

In my own State of Minnesota, there were 6,896 school districts in the State in 1900. In July 1961 there were 2,410 and in July 1971 only 446. Today this figure is 435 and will probably be reduced to less than 400 during the next year.

I anticipate that under this legislation, a city with a population of 5,000 to 10,000 would have at best only one program with a maximum enrollment of 15 to 30 children even under the most optimistic funding conditions. Every prime sponsor, regardless of size, is required by the bill to provide specific services, facilities and program personnel. It appears to me that, of small school districts with only one small school found over the years that they could not operate effectively and economically, it is impossible to expect a one-program prime sponsor to be feasible. The result can only be the wasting of precious dollars and, as a consequence, fewer children served.

It is important to point out that not only have school districts throughout the country moved toward consolidation, but the Office of Economic Opportunity—to whose authorizing legislation the child development bill is attached—moved early in the same direction. In OEO's instructional manual, Instruction No. 6302-2, that agency sets forth minimum sizes for eligibility for community action agencies. Furthermore, they even set size regulations which removed eligibility from communities which were considered to be too small to sustain a program. Parts of the instruction read as follows:

#### PART D. COMMUNITY ELIGIBILITY

1. Minimum tests of community eligibility:

To be eligible to be served by a CAA a community must provide a suitable organizational base and possess a commonality

of interest. At a minimum, an eligible community must be one of the following:

- a. A State.
- b. A city or other municipality, or a group of municipalities, with a population of at least 100,000 people, according to the most recent available census data.
- c. A county, group of counties or predominantly rural part or parts of one or more counties. A minimum of 50,000 persons according to the most available recent census data will apply in each of these cases.
- d. One or more Federal Indian reservations.

#### 2. Loss of eligibility:

If because of opt-outs or loss of population the population of a community previously eligible under 1.b above falls below 100,000 people, the community will lose its eligibility to be served by a CAA.

If because of opt-outs or loss of population the population of a community previously eligible under 1.c above falls below 500,000 people, the community will similarly lose its eligibility.

#### QUIE CONFERENCE PROPOSAL

My primary opposition to this legislation centers on the refusal of the conferees to accept what I considered to be a most reasonable and rational proposal. My proposal would provide the Secretary with the authority to determine, when a locality, a combination of localities or a State all make application to serve as a prime sponsor for the same geographical area, which application in his judgment can most effectively carry out the purposes of this act. I cannot understand why my colleagues would not accept a proposal which seems to me to be so basic to not only effective management but to good government as well.

What does the bill actually do and how does the delivery system work? To illustrate how complicated the delivery system is and why it will be difficult for even large geographical areas with high population concentrations to establish a prime sponsorship, possibly a brief explanation will help you to understand what every prime sponsor—including a one-program prime sponsor—will have to do.

#### USES OF FUNDS

To begin with section 512 details what funds may be used for services and activities covered, including at least 15 different categories.

#### PRIME SPONSORS—SECTION 513

In order to get funds authorized under this bill, a prime sponsorship must be established. Localities with a population of 5,000 or more must be approved as the prime sponsor if they meet minimum requirements even if a combination of localities or the State could do it better. In the event that an individual locality does not meet the requirements, the Secretary must take steps to encourage the submission of prime sponsorship plans from a combination of localities regardless of how capable the State might be.

If the Secretary determines that the prime sponsorship plan of a particular locality or combination of localities does not meet the requirements, he may then approve a plan submitted by the State. Such a plan may be approved for only 1 year, and during that year the Secretary must still seek to develop prime sponsorship applications by localities.

The Secretary may also approve a prime sponsorship plan submitted by a



public or private nonprofit agency, including but not limited to a community action agency, single-purpose Headstart agency, community development corporation, parent cooperative, organization of migrant agricultural workers, organization of Indians, employer organization, labor union, employee or labor-management organization, or public or private educational agency or institution. These bodies may be approved as prime sponsors when no application has been made by a governmental unit or if it has been disapproved or withdrawn.

#### CHILD DEVELOPMENT COUNCILS—SECTION 514

In order for a prime sponsor to establish itself, it must create a child development council as detailed in this section. This council must be composed of not less than 10 members. If 10 are selected, five shall be parents of children served in child development programs, with the remaining public members being appointed by the chief executive officer or the governing body of the prime sponsor. Three of the public members would be broadly representative of the general public, including first, government agencies; second, public and private agencies and organizations in such fields as economic opportunity, health, education, welfare, employment and training, business or financial organizations, labor unions, and employers. The other two members would be child development specialists if available.

The Child Development Council—which had been selected according to regulations established by the Secretary—shall be responsible for approving basic goals, policies, actions, and procedures for the prime sponsor, including policies with respect to planning, general supervision and oversight, overall coordination, personnel, budgeting, funding of projects, and monitoring and evaluation of projects.

#### COMPREHENSIVE CHILD DEVELOPMENT PLANS—SECTION 515

Once a prime sponsorship has been formed and a Child Development Council established, in order to receive financial assistance, the prime sponsor must then develop a plan which sets forth the comprehensive program for providing child development services in the prime sponsorship area. This plan includes 25 separate requirements.

#### PROJECT APPLICATIONS—SECTION 516

After the prime sponsorship-child development plan requirements are completed, then the question as to who may receive financial assistance to operate a project must be answered. Funds may be given to a qualified public or private agency or organization including, but not limited to, a community action agency, single-purpose Headstart agency, community development corporation, parent cooperative, organization of migrant agricultural workers, organization of Indians, private organization interested in child development, employer or business organization, labor union, employee or labor-management organization, or public or private educational agency or institution.

#### PROJECT POLICY COMMITTEE

Every potential project operator must establish a Project Policy Committee

which is composed of not less than 10 members, half of whom are parents of children served by the project. The remaining members of each committee shall consist of first persons who are representative of the community and who are approved by the parent members, and second, at least one person if available who is particularly skilled by virtue of training or experience in child development, child health, child welfare, or other child services.

Nowhere in the bill does it spell out specifically how the parents on the individual Project Policy Committees will be selected or appointed, nor is there any authority for the Secretary to establish guidelines or regulations. This is critical since each individual Project Policy Committee has, in effect, a veto over the policies with respect to planning, overall conduct, personnel, budgeting, location of centers and facilities, and direction and evaluation of projects.

This brief summary covers 10 pages in the conference committee report. If you think it is complicated from my explanation, then you should read the actual language of the bill.

Since the utilization of public resources is a fundamental part of this legislation, it seems to me that the Secretary should be given the greatest latitude and flexibility to choose those programs which, in his judgment, best meet the needs of a given area.

I must point out that many Members sought at one time during the development of this legislation to have a population level of 500,000 along with a requirement that all program applications be submitted through the State with one comprehensive plan forwarded to HEW. Although I feel that these provisions have great merit, I am not seeking them at this time; but I do contend that no application for prime sponsorship submitted by: First, a locality; second, a combination of localities; or, third, a State should have priority over the other. These applications should be judged on merit, capability, and capacity to carry out the role of a prime sponsor as compared to each other. I strongly feel that the Secretary should not be bound by any preset mandate to select any particular applicant. He should be allowed to use his best judgment as to who can best carry out the purposes of the act.

Some individuals have challenged my concern that the Secretary of HEW needs more flexibility and discretion to approve the application which he feels is most qualified. They feel he has all the discretion that he can possibly use right now in the authority given him under section 513(k) to directly fund projects. While he may fund projects directly, a review of that section shows that the Secretary's hands are tied to still another set of preconditions which does not give him discretion to select the proper prime sponsors. He may only fund projects directly—

In the event that a State, a locality, a combination of localities, or an Indian tribal organization has not submitted a comprehensive child development plan under section 515 or the Secretary has not approved a plan so submitted, or where the Secretary has not designated or has withdrawn designation of prime sponsorship under section 513, or

where the needs of migrants, pre-school-age children, or the children of working mothers or single parents, minority groups, or the economically disadvantaged are not being served.

The Secretary may fund directly only when the required conditions have not been met. This section does not give the Secretary the authority to approve a prime sponsorship, it merely allows him to direct fund individual projects when there is no prime sponsor.

Some also claim that the Secretary could refuse to approve a small locality's application for prime sponsorship for reason other than the limited criteria in section 513(a). But I believe that the Secretary's hands are further tied through another provision which directs that a prime sponsorship plan may be disapproved or a prior designation of a prime sponsor may be withdrawn only if the Secretary provides—

(1) written notice of intention to disapprove such plan, including a statement of the reasons, (2) a reasonable time in which to submit corrective amendments to such plan or undertake other necessary corrective action, and (3) an opportunity for a public hearing upon which basis an appeal to the Secretary may be taken as of right.

To complicate this procedure even more, there is also a provision which allows that if any party is dissatisfied with the Secretary's final action with respect to the disapproval or withdrawal of its prime sponsorship, such a party can file an action in the U.S. court of appeals and petition for a review of the action. In effect, any agency or organization listed in the bill may at any time take the Secretary to court protesting an action. Somehow it appears that with this complicated mechanism it is possible that no funds will ever get out to provide services for children.

#### STATES

I do not take the view of some of my colleagues that "all State governments are bad and that all city governments are good." Neither do I accept their view that States have not shown any concern in the area of child development, because I am aware that many States have demonstrated a truly significant desire to develop meaningful programs. My own State of Minnesota, for example, recently passed a law—chapter 848 of laws of 1971—which provides that the State commissioner of welfare may make grants to any municipality, corporation or combination of localities for planning, establishing, maintaining or operating a child care service. Funds may also be utilized for leasing, renting, construction, or purchase of facilities and equipment. The central thrust of the State's effort is to establish and operate a program to aid in the coordination of child care within communities, to aid in development of social, emotional, and educational services to provide optimum conditions under which children can develop and grow.

In January 1971 the Governor of Texas established an office of early childhood development for the purpose of coordinating childhood development programs "to insure all people in large and small communities in Texas the opportunity of comprehensive child development services."

The State of Maryland during the past few years has put great effort into the development of a workable and coordinated State program of day care and early childhood programs.

I must observe that States participating in title IV-A child care programs have put up a total of \$50 million in actual State moneys for fiscal year 1971 and it is anticipated that that figure will become \$75 million in fiscal year 1972.

It is interesting to note, however, that in spite of the efforts of these States or any similar efforts which might be made by any other States, under this legislation they would all automatically be excluded from prime sponsorship consideration unless localities failed to submit an application or until the Secretary deemed that the localities could not meet specific requirements.

In discussing this legislation some contend that, if the States have a role, they will dominate. Under the bill as it is now written, States do not and cannot control the programs as they will be controlled by regional offices. Individuals working in a regional office will make determinations as to what is best for each locality without having to be responsible or accountable to them or to be the voters. Regional offices are a poor substitute for elected officials who must answer to the electorate.

There is still another factor which complicates this already fuzzy picture—that is, how will the Secretary draft regulations and standards by which he can make choices? The bill has language which requires a prime sponsor to do certain things, but there is no guidance to help those who will process applications to make adequate judgments. If regulations are written in a restrictive manner, they will be challenged immediately. Yet, if they are vague and written with great flexibility, they probably will not be of great help in making determinations.

I can see one specific potential problem with regulations which might be developed. With any guidelines that are written, a prime sponsor applicant will have to comply with the law. If an applicant merely states that it will meet all of the requirements listed in the bill, how will a judgment be made when a small city applies and does not have existing operating resources to provide the necessary services, but promises to provide them once the Federal Government gives it the money to work with? The law as now written does not preclude the Federal Government from providing money for such services, and does not mandate that local, county, or State resources which might be available to serve the need be utilized. Through a literal interpretation it is possible, if a community merely promises to provide the services if it gets the money to do so, the Secretary would be obligated to make the funds available if he approves the application. In such a situation, many dollars which would normally go for actual child care services would be siphoned off and put into the establishment of supplementary services to insure compliance.

And still another concern to me is what will be the problems of administering

this bill at the Federal level? Right now there are approximately 900 full-year Headstart programs throughout the country. The Federal Government has not accepted any new applications during the last few years and has not started any new programs. As a result, Headstart has remained fairly constant. The Office of Child Development has used its staff primarily for oversight, monitoring, and evaluation. To administer the 900 programs, the Office of Child Development employs some 300 persons, of which 130 are in the Washington office. The Washington office, in addition to legislative responsibilities, policy setting, providing technical assistance, handles the special Indian and migrant programs and experimental parent-child centers. All other programs are handled by the regional offices. The remaining 170 employees scattered throughout the 10 regional offices, service the other programs.

It is important to understand that all of the programs presently in the Office of Child Development are established and operating. Consequently, there is absolutely no way of projecting exactly how many additional personnel will be required simply to process all of the potential applications which might be submitted as a result of this legislation, let alone predict the number that will be required to monitor and evaluate to maintain quality control.

The way this legislation is written, an administrative monstrosity will be created which has no parallel in government.

#### INTRODUCTION OF JOINT COMMITTEE ON AGING PROPOSAL

Mr. Speaker, on a completely different but equally urgent subject, I have today introduced a House joint resolution to establish a new joint congressional committee to be known as the Joint Committee on Aging.

The new committee would consist of 22 members, 11 appointed by the Speaker of the House and 11 appointed by the President of the Senate, with a majority-minority party representation of six and five in each case. In making appointments of Members to this new joint committee, due consideration would be given to House and Senate committee assignments involving legislation which deals with the problems of the older American.

The Joint Committee on Aging would not have authority to initiate legislation, but it would have broad authority "to conduct a continuing and comprehensive study and review of the problems of the older American, including but not limited to income maintenance, housing, health—including medical research—welfare, employment, education, recreation, and participation in family and community life as self-respecting citizens. The committee would also study methods of encouraging the development of public and private programs and policies which will assist the older American in taking a full part in national life, and in turn using the special talents and experience of older persons to improve the quality of life for all Americans.

I think this new joint committee is badly needed in the Congress. It would provide a focal point for bringing to-

gether information and ideas which in turn could improve the legislation of standing committees of both bodies which directly or indirectly affects older persons. The responsibility for the substantive legislation is fragmented, and there is no way this could be cured through restructuring committee jurisdiction, because the problems of the older American cut across all jurisdictional lines.

The problems of our older citizens are not different from those of all other groups in our population; they simply tend to be more severe for the older group. In most cases they need special attention, and one of the functions of the Joint Committee on Aging would be to inform the standing committees of methods of providing this special attention, whether it be in fields such as social security, health, or housing which are major concerns of older people, or in areas of collateral concern such as transportation, education, or crime prevention. If Federal legislation is going to be genuinely effective in meeting the growing needs of 20 million Americans aged 65 or older the committees of the Congress having responsibility for substantive legislation need the sort of focus and perspective which could be provided by the Joint Committee on Aging.

There is a further need which could be met by a joint committee. The executive branch is as fragmented as the legislative—and for the same reasons—in the administration of programs affecting older persons. While large portions of these programs come under the jurisdiction of the Department of Health, Education, and Welfare, significant programs are also found in the Departments of Agriculture, Housing and Urban Affairs, and Labor, among others, and in agencies such as the Office of Economic Opportunity. This is why President Nixon has established a Special Cabinet Committee on Aging as a part of the Domestic Council. I think that we should all applaud the President's leadership in taking this action. We need the same kind of single point in the Congress from which a broad overview of the programs of all the agencies would be possible. Only a Joint Committee on Aging could effectively do that job.

Mr. Speaker, I believe that this is a most appropriate time—as the White House Conference on Aging acts to focus much-needed attention on the problems of older Americans—for the Congress to act to provide a permanent focus on those problems as they are dealt with by the Federal Government. The joint resolution I have today introduced would accomplish that purpose and I ask for its speedy consideration.

#### CONCERN ABOUT PROVISIONS IN THE OEO CONFERENCE REPORT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. STEIGER) is recognized for 15 minutes.

Mr. STEIGER of Wisconsin. Mr. Speaker, I wish to associate myself with the remarks made by the gentleman from Minnesota (Mr. QUOTE). I share his support for an expanded child care program and I strongly supported the House



bill in September. I also share Mr. QUIE's concern that the House-Senate conference committee has designed a delivery system for the child development portion of the economic opportunity amendments that is sorely unworkable and worse than no system at all.

Regretfully, I must also express reservations about two other provisions of the OEO conference report which, in my judgment, severely limit the agency's authority and ability to carry out its mission. Specifically, they are the restriction on delegation of transfer authority and the earmarking of authorizations.

#### NONDELEGATION AND TRANSFER

Section 19 of the conference report prohibits the delegation or transfer of the functions and powers of the Director of OEO to the head of any other agency through fiscal year 1973, unless a provision of law is subsequently enacted "in limitation of the provisions of this section." This prohibition in section 19 would eliminate the research and demonstration role of OEO and would further prevent the agency from using its resources with maximum effectiveness.

The result of this provision would be to relegate OEO to the status of just another agency with program-operating responsibilities. If the conference report is enacted, and OEO's role as a strong, independent research agency is thus submerged, it might even become difficult to justify its continued existence. The strength of OEO has always been in its creativity in combating the problems of poverty. Other agencies of the executive branch are fully capable of administering social programs. We should not allow OEO to become merely another competing operating agency.

Delegations and transfers of OEO-initiated programs have been approved ever since the act was first passed in 1964. OEO has supervised programs during their maturation, and Congress has made statutory transfers to other departments in order to free funds for new innovations.

While the administration has proposed changes in OEO programs, in every instance the proposal seeks specific legislative action by Congress before effecting any changes.

Among the proposals are:

First. The inclusion of community action, senior opportunities and services, and special impact on the proposed Department of Community Development. The proposed transfer of these programs is set forth in the Department of Community Development Act and does not involve any substantive changes in the existing provisions of the Economic Opportunity Act.

Second. The inclusion in the proposed Department of Human Resources of the manpower programs authorized under parts A, B, and E of title I of the EOA, the migrant programs of title III-B, Headstart and follow through, family planning, alcoholic counseling and recovery, drug rehabilitation, and emergency food and medical. The transfer of these authorities is provided in the bill which proposes the establishment of a

Department of Human Resources and involves no substantive changes in the EOA.

Third. Included in this OEO bill is title 9 which creates an independent corporation using the existing Legal Services program as its base.

OEO would retain comprehensive health programs, although it is contemplated that the practice of transferring mature programs to HEW—DHR—on an individual basis will be continued. Legislative authority would be retained in section 222 of the EOA. The Agency would also retain research, development, and evaluation authorities under section 232 of the EOA, and, pending further assessment and decision regarding the location of Indian programs throughout the Federal Government, OEO would, like other departments, retain its existing Indian programs.

In other legislation pending before Congress, it has been proposed that community action programs be administered by the new Department of Community Development. It is also the intention of the administration, as indicated in the 1972 budget, to incorporate funding of community action into rural and urban community development revenue sharing as of January 1, 1973. To accomplish this, specific congressional action would be required in two respects.

First, Congress would have to approve the Rural Community Development Revenue Sharing Act and the Community Development Act; each by its terms would become operational January 1, 1972.

Second, if urban and rural revenue sharing are approved, then a specific legislative proposal would be submitted to incorporate community action programs into revenue sharing as of January 1, 1973.

The delay in shifting CAA's into the revenue sharing process will permit an observation of how revenue sharing works and a better understanding of the possible effects on community action, so that this experience can be considered in developing the subsequent legislation which would be required to incorporate community action into revenue sharing.

There are no proposals now before Congress dealing with revenue sharing as it applies to community action programs. Prior to any decision by Congress on the incorporation of community action into the revenue sharing format, community action would continue to be administered under the EOA, either by OEO or, in the event of passage by Congress of the Department of Community Development Act by the Department of Community Development.

As can be seen, each of the proposed changes in OEO has been incorporated in specific legislative proposals. These changes will occur only in the event of approval by Congress and not by the transfer of program authority, executive reorganization, administrative delegation, or any other means.

#### earmarking

Mr. Speaker, I am also concerned as I have been in the past that the earmarking adopted by the conferees severely

restricts the ability of the Director of OEO to effectively operate his agency. The conference report allows the Director the flexibility to transfer 25 percent of the funds earmarked from one program and put it into another. Shifting funds between programs is necessary in order for the Director to carry out the primary mission of his agency—research and development. Some of the earmarks are so high that he must divert nonearmarked dollars into earmarked programs simply to reach the level that the bill mandates.

Mr. Speaker, I think my colleagues understand that earmarking has long been a subject of considerable misunderstanding and acrimony in the past. There are, however, certain principles that may now be generally accepted:

One. Congress has authority to allocate funds as specifically or generally as it sees fit;

Two. The President must honor these allocations, but is not compelled to spend the money;

Three. Some degree of Director discretion is desirable in an OEO designed for innovation and rapid response;

Four. There is little consensus on program priorities. Members of Congress and the administration hold strong views about them, and there must be a rational means for reconciliation.

OEO earmarking problems, including those presented in the conference report stem from Congress annually appropriating less money than either President Johnson or President Nixon requested, and substantially less than authorized under the Economic Opportunity Act. The agency would have few serious disagreements with earmarks if full authorization were appropriated. However, OEO's total fiscal year 1972 budget is almost 20 percent less than this bill authorizes, and last year the final appropriation was closer to 30 percent below authorization.

#### THE FISCAL YEAR 1972 PROBLEM

Specifically, this bill authorizes \$950 million for OEO. Although OEO might not allocate that sum in precisely the same fashion, it would have no serious earmarking problems were the full authorization appropriated. However, the President's fiscal year 1972 budget for OEO is \$780.4 million. Under S. 2007, the traditional pro rata formula would rigidly require adding \$55.9 million to:

Local Initiative (section 221) -----	\$14.0
Alcoholism -----	7.4
Emergency food and medical -----	29.2
Community economic development ----	5.3

This is not simply added money to increase certain programs to which we might well accord higher priority than others. It is really program reduction from two other programs—comprehensive health and research and development.

In the case of local initiative, the earmark level of \$328.9 has been met—and even exceeded—for several years. However, in fiscal year 1971 OEO programmed an extra \$20 million into local initiative to advance-fund the fiscal year 1972 program. When added to the fiscal

year 1972 request for \$314 million, the resulting \$334 million will sustain the present program level.

In the case of the alcoholism program OEO has not budgeted additional funds because it reached agreement with HEW to consolidate all Federal alcoholism efforts in the Department, with the exception of certain special OEO projects. This is consistent with recently-enacted legislation. It also has the added advantage of first, continuing some 200 community action agencies started by OEO; second, strengthening community action as a legitimate grantee of a growing number of Federal sponsors, not just OEO; and, third, reinforcing a pattern for institutional change of Federal agencies through assumption of responsibility for OEO-developed programs.

The President's budget calls for \$3.5 million to refund emergency food projects for migrants and Indians in places not fully participating in food stamp and commodity distribution programs. The latter have expanded—since the inception of the emergency food and medical services program in 1967—from \$500 million to over \$2.5 billion annually. Finally, sufficient appropriations remain unspent upon entering fiscal year 1972, to allow for a reasonable transition to the broadened food stamp program of 1970.

It is my view that, although there are many necessary programs authorized in this legislation—most especially the independent Legal Services Corporation—the serious problems with the delivery system in the child development section of the bill, and the earmarks and non-delegation provisions, which I have just described, force me to believe it is necessary to defeat the conference report and then report out a bill that retains what is valuable and corrects what is unworkable.

As a supporter of OEO and a believer in the need for a child care program, I will vote against the conference report and begin work anew on a bill that deserves to become the law of the land.

#### FOOTBALL ACHIEVEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. FINDLEY) is recognized for 5 minutes.

Mr. FINDLEY. Mr. Speaker, every Member of Congress is proud of his home district. I share that pride and this year, once again, have an even more personal reason to be proud because of an unprecedented accomplishment in my hometown of Pittsfield, Ill.

This year the Pittsfield High School football team completed its sixth consecutive undefeated season. This is an all-time record in my home State of Illinois and I doubt few, if any, Members of Congress can boast an equal accomplishment by a high school athletic team in their hometowns.

The Pittsfield Saukees have compiled the enviable record of 54 consecutive victories during the past six seasons. In compiling their record, the Saukees scored 365 points this year while allowing

their opponents just 64 points. The team gained an average of 400 yards per game, another mighty impressive statistic.

On top of all this, it appears the 1972 season will provide another opportunity to expand on their own record of victories because most of the 1971 Saukee squad is made up of juniors who will be returning for one more season.

In these days of so much national attention focused on the few young people who have made, in the minds of many citizens, a bad name for our youth, it is a sincere pleasure to salute the winning ways of this group of genuine winners, the Pittsfield, Ill., Saukee football team.

I know my colleagues here in the Congress join me in congratulating this fine team and its coach, Donald Pollard, for the fine example of achievement they set for all citizens.

Members of the undefeated 1971 Pittsfield High School Saukee football team are: Richie Smith, Jim McMakin, Brent Gaffney, Walter Stolte, Jay Carlton, Charles Cox, Rod Fralich, Dan Sapp, Dan Barrow, Jerry Fulmer, Mike Baehr, Mike Nevius, Rich Bergman, Fred Ruzich, Joe Wombles, Mark Sheppard, John Carlton, Bruce Kattelman, David James, Andy Borrowman, Brett Irving, George LoBuono, Mark Dempsey, Mike Barton, Roger Coultas, Ron Ghrist, Mark Deeder, Terry Lyman, Sam Giger, Don Snyder.

#### NATIONAL PLANNING ASSOCIATION ADVISORY COMMITTEE ISSUES TIMELY REPORT ON TRADE AND MONETARY POLICIES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 10 minutes.

Mr. REUSS. Mr. Speaker, I would like to commend to the attention of my colleagues a timely report on trade and monetary policies issued early last month by a National Planning Association Advisory Committee chaired by Ralph I. Straus of New York. The report is entitled "U.S. Foreign Economic Policy for the 1970's: A New Approach to New Realities," and is accompanied by supporting papers by C. Fred Bergsten, Robert M. Dunn, Jr., Frances M. Geiger, Theodore Geiger, Robert E. Hunter, and Harald B. Malmgren.

Among the committee's recommendations is the suggestion that the United States agree to a small increase in the price of gold as part of a currency realignment to establish more realistic exchange rates among the dollar and other leading currencies. The committee also takes a constructive approach to the elimination of nontariff barriers and other restrictive practices, and to the provision of more effective adjustment assistance for industries facing increased import competition.

The committee does well to warn that:

U.S. policy makers must resist the temptation to use excessively restrictive or discriminatory means of applying pressure that would subsequently be difficult to terminate either for domestic reasons or because of retaliatory measures by the Europeans and Japanese. . . . Since August 1971, the

danger that increasing resort to restrictions, discriminations and retaliations might get out of control has become very much greater.

I include a November 8, 1971, press release describing the National Planning Association Advisory Committee's report on U.S. foreign economic policy, along with a list of members of the committee signing the report:

#### NATIONAL PLANNING ASSOCIATION PRESS RELEASE

WASHINGTON, D.C.—Constructive measures for dealing with the current international economic crisis and thereby avoiding a further relapse into trade restrictions and retaliations are recommended in the report of an NPA Committee released today.

Chaired by Ralph I. Straus, the NPA Advisory Committee on U.S. Foreign Economic Policy for the 1970s proposes a new approach to tariff reductions, the use of interim import restrictions to allow time for adjustment to increased import competition, codes of behavior to harmonize or eliminate nontariff barriers and other restrictive practices, wider margins for exchange-rate fluctuations and more frequently changes in parities, reductions in the foreign-exchange costs of U.S. defense commitments in Europe and Japan, and an improved program of adjustment assistance to U.S. workers and business firms. The report's 18 specific proposals were formulated to take account of the new realities in the world economic and political position of the United States.

The Committee urges the OECD nations to adopt a new commitment not to pass on the costs of their policies to other countries without prior consultation, and to preserve and improve international economic integration "with adequate provisions for controlling the adverse effects on social groups within countries and on national economies as a whole."

Considering recent developments in the world economy and U.S. policies adopted on August 15, the Committee warns that "U.S. policy makers must resist the temptation to use excessively restrictive or discriminatory means of applying pressure that would subsequently be difficult to terminate either for domestic reasons or because of retaliatory measures by the Europeans and Japanese. . . . Since August 1971, the danger that increasing resort to restrictions, discriminations and retaliations might get out of control has become very much greater."

The Committee finds that there has been a significant decline in the international economic position of the United States relative to the European Community and Japan. "In the past, the United States possessed marked competitive advantages, notably the technological lead and economies of scale fostered by its large domestic market, the dynamism and competitiveness of its business management, the quality of its labor force, and the size and efficiency of its capital market." Now, the report points out, the European Community and Japan are rapidly narrowing the gap in these respects between themselves and the United States.

The Committee's report is accompanied by and based on six more detailed supporting papers concerning prospects for trading blocs, nontariff barriers, international monetary reform, payments adjustment problems, military and political factors in U.S. foreign economic policy, and U.S. and other countries' adjustment assistance programs. Summaries of the supporting papers are appended. Also attached is a list of the signers of the report.

The Committee points out that there has been widespread agreement in the United States that the benefits of greater international economic integration exceed its costs. But this is now being questioned as greater integration increases the scope, frequency



and speed of economic changes that require painful adjustments by workers and businesses.

To be both realistic and constructive, future U.S. foreign economic policy must combine programs and policies to extend the benefits of integration while also dealing with integration's adverse aspects in pragmatic ways, the Committee says.

The Committee recommends that U.S. import restrictions should be permitted only under the escape-clause procedures and "in cases where the impact of import competition on a particular industry is so widespread, drastic and rapid as to make the task of adjustment for the industry or its workers too great to be handled even with liberalized programs of adjustment assistance." Such restrictions would be limited to three years, renewable only to carry out an industry adjustment program prepared by an Industry Council consisting of representatives of concerned large and small firms, labor unions, government departments, the industry's customers and consumers generally. To preserve some competition, tariffs should be preferred to tariff-quotas and "permissible amounts of imports should be periodically increased more than proportional to the growth in U.S. consumption."

Liberalization of adjustment assistance should include simplifying and speeding up handling of applications for assistance, providing aid to workers in a subdivision of a firm even if the entire firm would not be eligible, and abolition of the need to show a direct causal link between a tariff reduction and an increase in imports.

To head off the tendencies toward bloc formation and restrictionism, the Committee proposes a plan for reduction of tariffs and quotas, U.S. agreement to a GATT waiver for the proposed association agreement for free trade in industrial products between the European Community and the remaining members of the EFTA for five years only, and new efforts to reduce agricultural protectionism.

The tariff reduction plan calls for immediate elimination of all tariffs now at 5 percent or less and a progressive reduction over an adequate transition period of higher tariffs to 5 percent, after which they also would be abolished. The proposed waiver for the EC-EFTA association agreement would be for a limited time only while the general tariff reductions are negotiated and go into effect. It should also be subject to compensatory concessions to the United States and other countries adversely affected.

The Committee also recommends international monetary reforms and improvements in the process of adjustment to payments imbalances. It suggests that the United States agree, if necessary, to a small gold revaluation but only as part of a currency realignment to establish new equilibrium exchange rates. Calling for greater flexibility in exchange rates, it urges adoption of "a set of presumptive criteria for determining the need for a change in parity" as well as wider margins—at least 3 percent on either side of parity—to discourage speculative short-term capital flow.

Proposed international monetary reforms include a special SDR issue by the IMF to mop up unwanted reserve dollars, provision for countries to declare in advance the rate at which they would be willing to increase reserve dollar holdings, and improvement of the existing swap network. Only dollars exceeding the amounts countries agreed to hold could be converted against other U.S. reserve assets, and the latter amounts could be used by the holding country in settlement of a payments deficit. While recognizing the impediments, the Committee urges that OECD countries "take explicitly into account the probable major effects on one another

of changes in their own macroeconomic policies," especially with respect to interest-rate policies.

Concerning developing countries, the Committee recommends that the United States implement promptly an arrangement for generalized preferences for developing countries, explore new methods of fostering larger foreign exchange earnings for developing countries from their primary products exports, and initiate steps to aid developing countries to expand their trade with each other.

Other recommendations of the Committee include:

interim encouragement of U.S. exports together with efforts to develop a code of behavior to regulate export-promotion activities by OECD countries;

a comprehensive reassessment of U.S. antitrust policy by a National Commission before any changes are made in antitrust policies affecting international trade finance and investment.

improved technical information services especially for smaller U.S. businesses;

efforts to equalize the effects of nontariff barriers among OECD nations and to secure codes of behavior on the major kinds of nontariff barriers.

reduction of foreign-exchange costs of U.S. defense commitments to Europe and Japan and closer coordination between U.S. economic and political policies;

an "imaginative research effort to determine whether a practicable approach to the problem of international fair labor standards could be developed"; and

faster relaxation of restrictions on U.S. trade with communist countries.

In making its recommendations, the Committee emphasizes the need for additional research to provide "better information about and understanding of the long-term developmental trends in the U.S. economy and in its relationships with those of its major trading partners" and to clarify the issue of national policy implicit in these trends. As one approach to the needed study and analysis, the Committee suggests establishment of a broad-gauge National Commission on the Future of the U.S. Economy.

The report was signed by the 21 members of the Committee, including members from business, labor, agriculture, and the universities. The labor members of the Committee added footnotes critical of the role of multinational corporations, and three of them called for regulation of the export capital and technology by multinational companies, import quotas for noncompetitive industries, control of patent transfers and licensing, and taxation of income of U.S. multinationals when earned.

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Nat Weinberg—Director, Special Projects and Economic Analysis, United Automobile, Aerospace and Agricultural Implement Workers of America-UAW.

#### COMPENSATION FOR INNOCENT VICTIMS OF VIOLENT CRIME

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. PODELL) is recognized for 30 minutes.

Mr. PODELL. Mr. Speaker, I am introducing today for appropriate reference the "Compensation to Victims of Crime Act." My bill would provide compensation to the innocent victims of violent crimes.

The plain fact is that the threat of violent crime endangers the daily living of almost all Americans. The fear of being assaulted, mugged, robbed, or raped is curtailing the pleasure of an evening walk or plans for an evening activity outside of the home for residents of our cities. People in many areas will not go out on the street at night. Others have added bars and extra locks to windows and doors in their homes. Bus drivers in major metropolitan areas do not carry cash because incidents of robbery have been so frequent. Crime statistics indicate that the amount and the rate of violent crime over the last 10 years have been frightening. Between 1960 and 1970, violent crimes rose 156 percent. In 1970 alone, 731,402 acts of violence were reported to the police. This means that a violent crime occurred every 43 seconds last year in America.

Compensation for victims of violence is not a new concept. It has been practiced in various forms since ancient times. Both the Mosaic Law and the Code of Hammurabi provided for public reparations to individuals who suffered criminal assaults, at least under some circumstances. Such compensation was generally awarded only when the criminal was not caught, and was a way of inducing the government to do everything possible to apprehend the criminal. Compensation in those cases was motivated less by a concern for the victim than by a desire to punish society for failing to find the criminal.

Several countries have already adopted the idea of financial reparations for those who have suffered from violent

crime. Great Britain and New Zealand have been paying compensation to crime victims since 1964. Compensation programs are also in effect in parts of Canada and Australia. Sweden is just now starting up such a program. The Governments of these countries recognize that if an individual is injured by a criminal, the Government has failed in its duty to protect that individual and should make some restitution to him. In addition, six States in our Nation already have adopted various programs to make restitution to victims of crime.

I am proud that my own State of New York pioneered in the adoption of criminal compensation legislation. New York has a criminal compensation board empowered to award financial assistance to those persons—or their dependents—who suffer personal physical injury or death as a result of criminal acts. No award is made in New York unless the claimant has incurred a loss of \$100 or has lost at least 2 weeks of earnings or support. The legislation which I am proposing, as will be seen, is more comprehensive than the New York law. My proposal makes no distinction as to the level of government whose criminal laws are involved and covers additional classes of injuries.

It is indeed a mockery of justice that an innocent victim should be forced to bear both the experience of the crime and also the burden of paying for it. This is especially true when we look at existing studies identifying typical victims. They show that the physically weak, the young, the aged, the female, and the handicapped are most vulnerable to crimes of robbery and assault.

Edmund G. Brown, former Governor of California, once observed that it was ironic that his State spent millions of dollars for the rehabilitation of criminals in its corrective institutions, yet left the victims to fend for themselves. Arthur Goldberg, former Associate Justice of the U.S. Supreme Court, has written that the victim of crime, if uncompensated, has been denied the protection of the law and that society should assume some responsibility for making him whole.

The financial hardships, such as paying hospital and doctor bills and suffering lost wages, are particularly difficult for many victims of crime to bear. Those who are least able to provide for themselves in the first place are more often victimized, thus put in an even worse financial position, and then left to fend for themselves. Dr. Karl Menninger has observed that the typical American views the person convicted of crime with contempt, his chief feeling being that the criminal should be punished, but neither the public nor the offender seems to express any particular sympathy for the victim of crime.

In reality, the victim becomes the forgotten man in the criminal triangle. Our criminal cases pit the state against the suspect with scarcely a mention of the victim. There are essentially three parties interested in the outcome of a crime—the victim, the offender, and society—but the victim has been virtually forgotten by the other two and lacks the means to gain justice.

Opinion polls indicate that the vast majority of the public favors a victim compensation plan, as do legislators, law enforcement officials, and a Presidential task force. Among supporters of the idea have been the National Association of Chiefs of Police and the President's Commission on Law Enforcement and Administration of Justice.

Under my proposal, the Attorney General would be empowered to grant awards for victims of robberies, rapes, murder, kidnaping, and other violent crimes. I believe that the use of the existing facilities of the Department of Justice would provide the best administrative vehicle for the "Compensation to Victims of Crime Act" and avoid the added delays and expenses of creating a new agency for the purpose.

My bill differs from others in this area in several key respects. It makes no distinction as to the level of government whose criminal laws are involved. It will cover additional classes of injuries, such as those resulting from efforts to apprehend violators of the law. In addition, it allows for a death gratuity of \$50,000 to the dependents of law enforcement officers and firemen killed in the line of duty. It provides for full compensation for actual expenses and loss of earnings for victims of violent crimes. It assigns the responsibility for administering the act to an existing agency rather than creating another commission which would be an onerous burden upon the already sagging shoulders of the American taxpayer.

My legislation has built-in safeguards to prevent abuse. The bill requires that an injured victim of a crime file a report within 72 hours of its occurrence. Thus, there would be ample opportunity for law enforcement officials to ascertain whether a crime had been committed. A thorough investigation would be conducted in each case to verify the loss claimed and thus lessen the possibility that claims might be inflated.

Compensation could be paid to the injured person, to any person responsible for the care of the injured person and to the dependents of any deceased victims.

I urge my colleagues to give early consideration to passage of the "Compensation to Victims of Crime Act" so that we in Congress can show genuine compassion for victims of violent crime in America.

#### PUBLIC FINANCING OF POLITICAL PARTIES WOULD THREATEN OUR FORM OF GOVERNMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. JAMES V. STANTON) is recognized for 10 minutes.

Mr. JAMES V. STANTON. Mr. Speaker, I rise with regret to declare my opposition to the campaign financing provisions of H.R. 10947—that is to say, the Senate amendment which would give taxpayers the option of earmarking \$1 of their annual Federal income tax payments for the use of presidential and vice presidential candidates. I say re-

gret, because I am genuinely concerned, as a Democrat, with the financial plight of my party, and I am even more concerned, as an American citizen, with the high cost of political campaigns and the potential that this problem has for warping our democratic system of government, and for posing a threat to the probity of our officials. Nonetheless, on another front, we are making at least some progress in dealing with this situation, as evidenced by our action in this Chamber yesterday on campaign expenditures legislation (H.R. 11060 and S. 382). That effort had my support, but with respect to the campaign financing provisions of H.R. 10947, I am afraid we are being asked to legislate a presumed cure which might possibly lead us willy-nilly to a more undesirable state of affairs—a basic transformation of our two-party system of government.

Historically, that system has been one under which we have had two major parties in contention for power and, occasionally, competing minor parties that command significant support and, in addition, lesser parties with no appreciable support from the electorate. The minor parties have enjoyed no permanence. They have passed from the scene, either because they have nothing constructive to offer, or else because they did advocate positive programs and reforms on which they later lost the initiative to the major parties, which have shown a capacity to ingest the platforms of their junior competitors. What we have been left with, then, is essentially a duopoly—with each of the two parties resting on a broad base in the electorate.

Through the \$1 tax checkoff scheme, these minor parties are not likely ever to pass from the scene. With a guarantee of public funding for their causes, they would achieve longevity, and perhaps immortality. The so-called American party, headed by Gov. George Wallace, of Alabama, would become institutionalized—to cite one example. I do not think that party has anything constructive to offer but, even if it did, permanence for it would erode the base of the two major parties, and we would end up perhaps with three permanent parties, rather than two. Should a "fourth" party appear on the scene in the 1972 election, the tax checkoff scheme could result in permanence for that organization as well. American politics would become factionalized, as it is in some European countries, and our ability to achieve broad consensus in this Nation, and a conciliation of opposing points of view, would be endangered.

I would like to cite another undesirable result of the \$1 tax checkoff proposal. Not only would the lesser parties become institutionalized, but so would the major parties. Mr. Speaker, there is nothing sacrosanct, either, so far as I am concerned about the Democratic or Republican Parties. These two parties should continue to exist only if they deserve to exist—that is, if they are responsive to the voters. There might come a time—and this, too, has occurred in our history—when it would be better that one of the two major parties give way to



a newcomer with a more honest platform and ability to get its planks enacted into law. However, under the public financing provisions, the Democratic and Republican Parties would get so much money from the tax base that they could never be shaken from their moorings. Under such conditions, they would tend to become less, rather than more, responsive.

For these reasons, Mr. Speaker, I urge that the Senate amendment on election financing be deleted from H.R. 10947.

#### REVENUE ACT OF 1971

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. Boggs) is recognized for 15 minutes.

Mr. BOGGS. Mr. Speaker, there has been a great deal of talk recently about the Revenue Act of 1971 and the prospects for economic recovery. This is to be expected, because from almost any perspective the economy is a subject for well-founded concern.

Three years ago, when this administration took office, the unemployment rate was at a record low of 3.3 percent. Today, unemployment stands at 6 percent.

Three years ago, 2.8 million Americans were unemployed. Today, almost 5 million Americans are unable to find work.

In 1969, only six areas in the United States had substantial unemployment. Today, there are 64 areas in our country where substantial unemployment exists.

Three years ago we were enjoying the longest period of sustained economic growth in our history. At the present time, 27 percent of our productive capacity is idle, and there are few signs of adequate economic recovery.

The state of the economy and the Revenue Act of 1971 were discussed today in a speech by the distinguished chairman of the Committee on Ways and Means, Mr. MILLS. Chairman MILLS was addressing a luncheon meeting of the National Capital Democratic Club. His message, however, is for the American people. I am inserting the text of his remarks in the RECORD and commending it to the attention of my colleagues:

#### REMARKS OF CONGRESSMAN WILBUR D. MILLS

It is a pleasure to break bread and have such enjoyable fellowship with this great group of Democrats. To use an expression of the late Sam Rayburn, we who are gathered here today are Democrats without prefix; without suffix; and without apology.

This National Capital Democratic Club, is generally true of worthwhile and purposeful organizations, grew out of adversity. It started back in 1953, at a time when Democrats were freshly out of the White House. It began with a handful of former members of the staff of President Harry Truman and has grown to over 1700 members under the leadership this year of Donald Dawson. I note that your president last year was my good friend, Joe Karth, whom we were very proud to recently welcome to the membership of the Committee on Ways and Means.

I understand the Club's name in the beginning was the "Out, But Happy Club". I am glad that the name was later changed to National Democratic Club because this club truly is a national club with Democrats be-

longing to it and participating in it from all parts of the nation—north, south, east and west. I am also glad its name was changed because today we Democrats in the national capital cannot afford to be happy. I say this because the nation is not happy with the leadership it has been receiving for the past three years.

The mission of this club, therefore, is not only to furnish a congenial atmosphere in which Democrats can meet, but its responsibility is to advance the interests and standard of the Democratic Party and in doing so make those meaningful contributions to good government that Democrats have traditionally made throughout the history of this country.

The new forum program initiated this year by the club is an excellently conceived activity, and I believe it will prove very useful to Democrats not only here in Washington but throughout the country. I am honored that you have invited me to kick it off with our discussion today. As could be expected, my assignment is in the fiscal realm. I understand that in subsequent meetings other speakers will discuss other areas of national concern.

Today I want to point up some of the shortcomings in the economic policies of the Administration. This story needs to be told to the nation because the economic stewardship of the present Administration has been nothing short of disastrous both in terms of the domestic economy and with respect to the foreign trade area.

Today I shall make a brief statement, and then I shall be glad to respond to questions or comments or observations which any of you may wish to make. I have chosen this format for our discussion for good reasons. First of all, this is an astute, well-informed audience, which has the advantage of ready access to the plethora of information that abounds in the nation's capital—good and bad, fact and fiction, truth and falsehood. So any speaker formally addressing an erudite and perceptive group, such as this one, runs the risk of being redundant and really not telling his audience anything they have not heard already. The more informal question and answer format is different. It channels the speaker into areas you wish to discuss and allows for a wider range of topics to at least be broached and touched upon.

I think it appropriate that you have chosen to discuss the nation's economy in this initial session of the Club's new forum series. The United States economy is the dynamo that powers all the activities and functions of this government, both at home and abroad. As the economy goes, so goes the nation's fortunes, its strength, its ability to be responsive to social needs and its standing domestically and internationally. It is the economy that undergirds and underwrites each and every endeavor of this country.

It is with respect to this basic and fundamental element that the present Administration has failed so miserably. The issue of the economy will be the Republican Achilles' heel in 1972, and they have brought it all on themselves.

It is true that inflationary pressures were present at the end of the Johnson Administration. We Democrats can and do readily admit that. The Republican Party is compelled to admit, however, that inflation has worsened very considerably under the present Administration. Moreover, the record shows that the other horn of our current economic dilemma, recession, is strictly Republican in origin, as most recessions are.

Let me give you some comparative statistics that illustrate and quantify what I am saying:

Consider, for example, unemployment. During the last year of the Johnson Admin-

istration, 1968, national unemployment averaged only 3.6 percent. Compare this more than "full employment" level, in the traditional sense of that term, with the tragic unemployment rate over the past year, which has averaged on a national basis right at 6 percent.

This high rate of unemployment has developed and persisted despite the stimulation that should be expected from the record-breaking Federal budgetary deficits for the three Nixon years 1970, 1971 and 1972. On a Federal funds basis they are \$13.1 billion for 1970, \$30.2 billion for 1971, and the estimate for 1972 is a whopping \$35 billion, for a grand total of nearly \$80 billion in just three years. Compare them with the late Johnson years of 1966, 1967 and 1968 when the budgetary deficits were a much lower \$5.1 billion, \$14.9 billion, and \$28.4 billion, respectively. The now surpassed record Johnson deficit of 1968 lasted just long enough for the present Administration to get settled in office. It was broken by the \$30 billion plus Nixon deficit in fiscal year 1971, and it will be broken again by the deficit in the current fiscal year, which is presently estimated at \$35 billion.

Consider our current very dismal balance of payments picture. The Commerce Department announced last month that in the third quarter of this year the deficit ran at an annual rate of \$48.4 billion on the official reserve transactions basis. This represents the largest balance of payments deficit in the history of the United States. By contrast, during the last year, 1968, of the Johnson Administration there was a surplus of \$1.6 billion. Even more significantly our surpluses in the balance on goods and services during the Johnson Administration, which reached as high as \$7.1 billion in 1965, have now disappeared completely, and for the first time in this century—yes, the first time in this century—we are running a deficit in our balance of trade with other nations.

Consider the low rate of capital spending. Surveys had projected an increase of only about 2 percent in new plant and equipment spending this year. In real terms, after adjustment for inflation, this actually represents a decline from last year. The year-to-year increase in plant and equipment spending in the last Johnson year was 3.5 percent.

Consider the notable lack of consumer confidence as reflected in the correlatively high savings rate. Heightened concern over unemployment in recent months has caused individuals to be more conservative in their spending, causing the savings rate to hover at the unusually high average of 8.1 percent for the past 12 months. For the last year of the Johnson Administration, the savings rate was a much lower 6.7 percent.

And finally, let's consider inflation. The expressed purpose of the Administration's original waiting game plan, which lasted throughout its first 31 months in office, was to reduce inflation without recession. The statistics I have just quoted show that we got the latter anyway. But the figures also show that despite the high price the nation has paid in terms of increased unemployment, no abatement whatever occurred in inflation. To the contrary, it grew much worse.

To be specific, during the last full year of the Johnson Administration the consumer price index rose 4.2 percent, and the wholesale price index rose 2.5 percent. As I stated earlier, these increases were entirely far too rapid. But if you will look at the price indices for the 12 months immediately prior to the Administration's wage-price freeze order in August, you will see that the consumer price index increased not just 4.2 percent, but 4.5 percent. Even more disturbing is the much higher rate of increase in the wholesale price index, which is the pre-

cursor and forerunner of even higher consumer prices. Over the year from August 1970 to August 1971 the consumer price index increased 4 percent, an exceedingly alarming and foreboding figure that foretold even greater inflation to come. Perhaps the aggravated state of inflation can best be put in perspective by recognition of the fact that about 43 percent of the increase in gross national product in the first nine months of this year has been due to price increases.

These statistics are in the record, my friends, and they do not speak well for Republican economic stewardship. They document a marked deterioration in the economy during the past three years. When the Administration finally abandoned its bankrupt waiting plan on August 15, it was far past the time that action should have been taken. Proven tools of economic progress had been neglected and shunned too long.

This morning I have come from a conference committee, which has been working for the past three days to resolve the differences in the House and Senate versions of the Revenue Act of 1971. Regardless of the resolution of the issues raised by the Senate amendments extraneous to the President's tax program, it is clear that the final bill will contain the basic elements of his recommendations, namely, restoration of the investment credit, tax cuts for individual taxpayers, repeal of automobile excises and tax incentives for exports. The conference committee has not completed action on the bill, but I can tell you that we are having good success in removing or paring down many of the Senate amendments which would have raised considerably its Federal revenue costs.

We conferees are engaged in the unusual task of detrimming and taking down a Christmas tree before Christmas. As is always the case, it is a somber and sad chore and not nearly as much fun as was the ceremonial decoration of the tree in the Senate last month.

As of 7 o'clock last night we had removed and carefully packed away for the next season of goodwill about \$12 billion of the assorted ornaments and tinsel hung by jolly elves on the Senate floor. In other words the revenue cost of the Senate bill is less by that aggregate amount as a result of the conference action. We made further good progress in this morning's session and expect to complete conference action by tonight.

I am convinced, therefore, that the compromise measure we take back to our respective houses will be a good bill. And I want to make it clear that this responsible action on the part of the conference committee is normal congressional action, unaided by, unhindered by, unaffected by and completely oblivious to the President's threat of veto earlier this week. If he is not pleased with any of its provisions—and he has indicated deep displeasure with certain of the Senate amendments—then he will just have to make his own decision as to what responsible action dictates with respect to signing the bill into law.

I hope he will sign the Revenue Act of 1971 because I am convinced it is a necessary step in putting our economy back on the path to adequate and stable growth. It cannot by any means do the whole job, however, and the pace of our economic recovery will depend in large measure on future actions of the Administration, particularly the progress we hope will be made in resolving the serious problems with our trading partners and in formulating new international monetary arrangements. These problems do not at all diminish with the passage of time. We hope favorable results will follow from the meeting

of the Group of Ten Finance Ministers currently underway in Rome.

Finally, our economic progress will also depend on the success of those elements of the New Economic Policy specifically designed to contain inflation. I have already expressed displeasure with certain decisions of the Wage Board, but let us hope that the substantive content, the procedures, and the clarity of the decisions and regulations of the Board and the Price Commission will improve in the weeks ahead.

Also very prominent in the category of inflation containment is Federal expenditure control. Both the President and the Congress must exercise appropriate restraint in this area in the coming months if the recovery program is to maintain a proper balance between stimulus on the one hand and reduction of price pressures on the other.

#### NUTRITION PROGRAM FOR THE AGING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mr. RANDALL) is recognized for 15 minutes.

Mr. RANDALL. Mr. Speaker, it is my privilege and honor to serve as chairman of the Special Studies Subcommittee of the House Committee on Government Operations. Just prior to the August recess we were assigned the responsibility to conduct hearings on the problems of the aging. Earlier this year many of us joined in the effort to create a Select Committee on the Aging. I was one of the cosponsors of that resolution. But the Rules Committee and the House leadership, facing the critical space situation did not act on the Select Committee. Rather than create a new select committee our subcommittee was assigned the task to function as a Committee on the Aging for the first session and likely through the remainder of this Congress.

To date my subcommittee has held over 20 days of hearings here in the city of Washington and in addition two field hearings in Baltimore and in Chicago. While our staff has isolated nearly 50 separate problem areas the major categories which will have to be very carefully considered are income maintenance, health needs, housing and transportation. One of the most important studies under the subject of health needs is the necessity for nutritionally sound meals for our elderly.

It was my privilege today to speak at a luncheon of one of the four principal sections of the White House Conference on the Aging, in the Regency Room of the Shoreham Hotel, attended by approximately 700 of the delegates. They had been informed of the action yesterday by the other body in passing S. 1163, being an amendment to the Older Americans Act and best described as the nutrition program for the Elderly Act of 1971.

In my conversation with many delegates, both before and after the luncheon, which parenthetically was also addressed by the gentleman from New York (Mr. REID), I became convinced that the nutritional program which some call "meals on wheels," was very high on the

list of priorities of these delegates to the White House Conference on the Aging. They applauded warmly when I expressed the hope that the House would concur in the action of the other body of Congress before the adjournment of the conference which will end on Thursday of this week.

On the floor earlier today, I joined with the chairman of the Committee on Education and Labor, Mr. PERKINS, and the chairman of the Select Subcommittee on Education, Mr. BRADEMANS, in an effort to obtain unanimous consent for the immediate consideration of S. 1163. Elsewhere in today's RECORD there appears a colloquy between the gentleman from Kentucky and the gentleman from Indiana and myself with the minority leader, Mr. FORD, who after this exchange of remarks finally objected to the unanimous consent for the House to take up and act upon S. 1163.

Now, of course we all understand there was no report by our House committee which had held hearings on an identical bill. We all knew a bill had not been reported out. But, we also noted that in the other body the vote was 89 to 0. There may be a lot of brave men in the House but I hope there are very few foolish men when it comes to voting against a bill of this kind to provide nutritionally sound meals to the indigent elderly. Such a program is not only humanitarian and morally right and for such reasons should be unanimously supported. Moreover, in my judgment, it would be politically impractical for any Member to oppose a measure of this kind for any reason.

My purpose for taking this time is to establish in the RECORD that we of the House had an opportunity today to join with the other body and thus to pass a program that means warm meals delivered to the homes of those elderly who are unable to provide for themselves. We had the chance to act. By our failure and neglect to act before the adjournment of the Conference the 3,500 delegates with go back to their homes disappointed and disillusioned and also convinced that the body of the Congress which is known as the people's body was too busy to take some time to consider this important need of nearly one-tenth of our population. Hopefully, we may be able to remedy the failure today by action of the House under suspension of the rules before sine die adjournment of this first session of the 92d Congress.

Without a doubt there will be action by the House along the lines of the passage of the bill by the other body either in December or when we return after the first of the year. What a pity we could not have acted today to make it possible for these 3,500 delegates to return to their homes after the Conference with the conviction they had a part in making democracy work.

In the remaining moments of my time, let me point out our bill on the House side as well as the measure passed by the other body will provide at least one hot meal a day for 5 days a week which will contain a minimum of one-third of



daily dietary needs for elderly persons. These meals have to be served in sites accessible to the majority of elderly within a community. Meals may be served at schools, senior citizen centers, churches or other public and nonprofit locations. Ninety percent of the cost of operating these nutrition programs will be paid by a grant from the Federal Government to the States on the basis of each State's proportionate share of the Nation's population of age 60 and over.

Our hearings to date have developed that many older persons prefer to remain at home. To them, this is a much preferable alternative. Moreover, it is a much less costly alternative to what could be described as the confinement of our elderly in institutions. The proposed program is also an excellent one because it obviates the trauma that comes from institutional confinement of the elderly. It is also much less costly dollar wise than even care in nursing homes under medicare and Medicaid.

Our subcommittee has been reminded again and again of the lack of physical mobility or transportation of those who must live below what could be described as minimum living standards. These older persons are isolated from friends and families. This loneliness results in lack of incentive to prepare nourishing meals for themselves. Beyond that, some live in rooms with inadequate kitchen facilities.

This kind of legislation which would provide one hot nutritional meal a day is the very best kind of alternative to the otherwise institutionalized care of the large segments of our senior citizens. It is moral and it is right to proceed to try to alleviate the problem of malnutrition. This measure accomplishes that and at the same time saves our taxpayers money. Mr. Speaker, I do hope and pray that although we failed today to pass this bill we will not go home for the holidays without measuring up to the good example set by the other body.

#### STATEMENT OF SPEAKER ALBERT ON OEO CONFERENCE REPORT

(Mr. ALBERT (at the request of Mr. McFALL) was given permission to extend his remarks at this point in the RECORD.)

Mr. ALBERT. Mr. Speaker, tomorrow, the House of Representatives will be called upon to cast what may be properly characterized as the paramount moral vote of the session. During the 7 years since its inception in 1964, the anti-poverty program has afforded a modest shield of protection to the disadvantaged—the poor, the elderly, the young, the nonwhites. While the bulk of its programs which have received maximum publicity have been urban-oriented, it has also provided a modicum of economic and social assistance to the oft-forgotten but ever-present rural poor.

It had been my heartfelt hope that this year would not witness but yet another repetition of the acrimonious debate and controversy which unfortunately has been the biennial hallmark of OEO extensions. The House Education

and Labor Committee under the dedicated and skillful leadership of its chairman, CARL PERKINS, fashioned a bill which was cleared by the committee on a bipartisan vote of 32 to 3. The House followed suit on October 1 by giving its approval to the economic opportunity amendments of 1971, 251 to 115, a majority of both parties voting in the affirmative. Democrats voted 169 for as against 47 in opposition; Republicans cast 82 yeas and 68 nays.

The conference report in all significant areas, for all practical purposes, incorporates the House position. In light of this, I was therefore disappointed to learn that all but one of the Republican House conferees had refused to sign the report. I am informed that this was the result of White House pressure. The administration is now mounting an all-out fight against House adoption of the report. I find this exceedingly disheartening. I will readily concede to those who must judge every action, every vote, solely on the bookkeeping basis of political assets as against political liabilities, that most Members can undoubtedly vote against anti-poverty with political immunity. But I do not believe that we can answer the roll tomorrow on the basis of such a narrow and shortsighted criterion. Neither do I think that a majority of the House, at this season of the year certainly, will elect to indifferently turn its back on our less fortunate fellow citizens.

#### PETITE, DEAF MUTE GRANDMOTHER SERVES AS IOWA VA VOLUNTEER

(Mr. KYL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KYL. Mr. Speaker, the poet, John Milton, once asked what service the Almighty demanded of a human being who had suffered a physical impairment, concluding with the thought:

They also serve who only stand and wait.

The Stars and Stripes, on November 18, tells the story of a wonderful woman who has chosen to do more:

#### PETITE, DEAF MUTE GRANDMOTHER SERVES AS IOWA VA VOLUNTEER

One of the most popular volunteers at the Knoxville, Iowa, Veterans Administration hospital is a petite, four-foot 11 inch, 62-year-old grandmother who has never said a word to anyone there.

She waves to the patients, pats one on his shoulder, helps another with his sweater, and is always smiling and radiating love. But she never speaks, because Millie Courter is a deaf mute.

Mrs. Bertha Beem, chairman of Red Cross volunteers for Lucas County, Iowa, persuaded Millie (Mrs. Hugh Courter of Charleston, Iowa) to try being a volunteer at the hospital after Mrs. Courter became a widow in September 1969.

Robert G. Menning, director of the voluntary services at the hospital, gave Mrs. Courter a VA Voluntary Service manual to study and arranged for her to begin service with another volunteer as a guide. She joined the ranks of volunteers from 43 National organizations who come to VA's 165 hospitals,

110,000 strong each month, and who last year contributed 9.8 million hours to veterans' service.

Now, two years later, Mrs. Courter is highly successful; taking patients outside, going to canteen, serving coffee and cookies, shooting pool, playing cards, addressing mail, tying rug fringe, working in occupational therapy, and dancing are a few of the services with which she helps.

She communicates with some patients by writing. Often, when she comes to serve, she brings homemade cookies and candy as a treat for the "boys."

#### LEST WE FORGET—THE NATIONAL DEBT NOW STANDS AT \$416,921,843,765.86

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, on November 23, 1971, the gross public debt of the United States of America reached the grand total of \$416,921,843,765.86. That amount represents an increase of \$5 billion in 23 days. Compared to the same date 1 year ago, the gross public debt increased over \$32 billion. For the fiscal year 1972, beginning July 1, 1971, the national debt has shown an increase of \$18.8 billion over the previous fiscal year.

I bring these staggering figures to your attention because there is an all too unfortunate tendency on the part of Members of both Houses of Congress to forget that the American taxpayer is forced to shoulder the financial burden resulting from our deliberations.

Day after day, month after month, and year after year, Federal programs for this, that, and everything are added to the law books and the money used to pay for the schemes thus created comes from the citizen's wallet.

When, and usually, money is not readily available to pay for the programs voted by Congress and approved by the President, the size of the national debt is increased; the resulting debt is financed through the issuance of Government securities.

In order to pay the interest cost on this whopping debt of \$416-plus billion, the Federal Government has budgeted the tidy sum of \$21,150,000,000 for fiscal year 1972.

One tends to ignore figures of the magnitude thus far mentioned—therefore, a more meaningful and personal comparison is made: The current gross national debt on November 23 is a financial burden to the tune of \$2,000.88 for each of the 208,369,048 men, women, and children in the United States.

In times past, when the people demanded that the Federal Government give to the public without first taking from the public, the solution was the printing of worthless paper money, commonly referred to as "greenbacks." When used by the central government to pay its bills, such paper money acquired value at the expense of the value of all the other money. The printing of greenbacks—to permit "giving" without seeming to be taking—was, in effect, an invisible tax on anybody who had any money.

Today, under the more sophisticated modern banking system, Government no longer prints greenbacks when it is called upon to spend more money than it takes in from taxes or through the sale of bonds to the public. In order to raise additional funds necessitated by congressional and executive action, the Government sells interest-bearing securities in the financial market. Many of the Government IOU's become a part of the commercial bank's reserves thus permitting the creation of "checkbook" money. The effect of this checkbook money on the value of the public's money is the same as if greenbacks had been printed. But it also has an effect that greenbacks did not have: The public must be taxed to pay the bank interest on the IOU's and then taxed again to pay back the banks.

This custom of governments everywhere, and particularly the Federal Government of the United States—the creation and spending of new, unearned money—is the root cause of inflation. The simple lesson to be learned from this admittedly abbreviated discourse on economics is that in order to control inflation, the Federal Government must be controlled. And that is our primary responsibility as Members of Congress.

#### HISTORIC BREAKTHROUGH FOR OUR CHILDREN

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, Congress is on the verge of adopting legislation which will be a historic breakthrough for the children of the United States.

Both the House and Senate have already favorably approved legislation to create a national comprehensive child-care program which will be of extraordinary benefit to millions of preschool children. The legislation has been reported from conference as part of the Office of Economic Opportunity extension bill.

Despite a campaign of opposition mounted at the last minute by a scattering of rightwing critics, it is obvious that this legislation will be one of the greatest accomplishments of the 92d Congress. The benefits it will bestow are of immense significance to all our people.

The bill is modeled after the highly successful Headstart program which pioneered the concept of child development and enrichment rather than mere custodial care. It is almost inconceivable, but all current Federal child-care efforts, except Headstart, are mere adjuncts of programs to provide employment for parents. The interests of the children are completely secondary.

How tragic that we have neglected the opportunity to utilize modern advances in education to help our children, who could benefit the most. Thousands are already assembled in care centers, but instead of providing educational enrichment opportunities, we permit them merely to idle away their time.

Our legislation would correct this and help not only the disadvantaged but millions of other children. Instead of penalizing them because their parents work, we would enrich their lives through exciting and educational activities at healthful child-care centers.

The charge is made that this is Government interference, but just the opposite is true. By our existing Federal programs designed to deprive the child of any educational betterment, we are already imposing a State decree of cold and impersonal treatment. The proposed legislation would remedy this and bring us up to the level of most other countries in the Western World which already utilize the more human and fruitful approach of helping the child.

A recent article in the Washington Post explored some of the ramifications of this legislation. Because of its understanding discussion of this matter, I am pleased to insert the article at this point in the RECORD.

The article follows:

#### A NEW PUBLIC ATTENTION TO PRE-SCHOOL CHILD DEVELOPMENT

(By Alice M. Rivlin)

In the United States, public concern for a child's welfare generally does not become evident until he reaches age 5 and is eligible for kindergarten. Even then the public responsibility usually ceases at 3 o'clock in the afternoon.

But these attitudes are already changing. The next few years are likely to see a burst of public attention to the vital years between birth and 5, rapid growth of all-day programs for pre-school children with working mothers, and recognition that the day does not end for a school-age child when the 3 o'clock buzzer signals that classes are over.

The big questions will be: what character will these new programs have? Who will run them? And who will pay for them? When the Congress votes this week on the OEO bill, it may begin to provide the answers.

The bill extending the life of the Office of Economic Opportunity, just reported out of the House-Senate conference committee, contains a new Title V, for "Child Development Programs," meaning a wide variety of services to children such as all-day care for preschoolers, after-school and vacation programs, nutrition, medical, dental and psychological services, and education for parents in child-care and development. The bill authorizes \$2 billion for such programs in fiscal year 1973, including \$500 million earmarked for continuation of Headstart. The money would be allocated among the states in accordance with a formula, but administered primarily at the local level. Communities with 5,000 or more people could be "prime sponsors," applying directly to the federal government for money. The prime sponsor would be required to have a Child Development Council, half of whose members would be elected by parents, and individual projects would be run by Project Policy Committees composed of parents and local community members. The bill would make child development services available free to those with incomes of less than \$4,320 a year (for a family of four) and would establish a fee schedule related to income for families with more resources.

While there is some vagueness about what "child development" actually is—partly because the framers of the bill were eager to preserve flexibility and choice at the local level—it is very clear what this program is not. First, it is not just a babysitting opera-

tion to provide custodial care for children while their mothers work. The bill emphasizes the well-being of children and the comprehensive services they need for full development, whether their mothers work or not. Second, it is not just another program for the poor. Priority is to be given to "pre-school children with the greatest economic and social need," but the intention is to make services available to families at all income levels with those above the poverty line paying part of the cost. Third, it is not just another welfare program. The "prime sponsor" mechanism and the parent councils are specifically designed to by-pass the state welfare bureaucracies and give the beneficiaries of the program a real voice in its operation.

Several different groups are pressing for federal programs for children, for different and not entirely compatible reasons. Some are primarily motivated by a desire to reduce the welfare rolls. They believe day care should meet minimum standards of health and safety so the children do not come to harm, but that its main objective ought to be to keep children out of the way so that their mothers can earn wages rather than welfare. A second group is primarily concerned with overcoming the damaging early handicaps of children from poor families. Headstart, which reaches many 4- and 5-year-olds, but usually for less than a year, has proved too little and too late. There is accumulating evidence that children develop rapidly in the first three years of life, that good nutrition and mental stimulation at this age make a difference—at least if they are sustained. A third group, the voice of women's liberation, sees attractive stimulating day care centers as a way of giving all women, not just the poor, a genuine choice between childcare and work outside the home. And finally, there are those whose primary motivation is to mobilize community action in the ghetto, the rural South or on Indian reservations, who believe parent involvement in decision making about Headstart programs did as much for parents as for children, and who see community controlled child development programs as a good vehicle for the poor to use in acquiring political experience and challenging the "power structure."

The focus on reducing welfare rolls is reflected in H.R. 1, the Nixon-Mills welfare reform bill that has passed the House, but not the Senate. Under H.R. 1, a mother on welfare could be required to take work (unless she had a child under 3) provided day care was available. Senator Long, no enthusiast of the administration's welfare reform proposals, has held hearings on his own bill to provide custodial day care to the poor through a public corporation.

But while welfare reform was bogged down in the Senate, bills for more comprehensive but entirely voluntary child development programs were making their way through the legislative obstacle course on both sides of the Hill. Senator Mondale's Child Development Bill, incorporated into the OEO amendments, stressed comprehensive services and community control and would have provided services free to families with income under \$6,920 with a sliding scale of payments for families with higher incomes. On the House side, a similar bill, sponsored by Representatives, Reid, Brademas and Mink, but giving more role to states and less to localities and parents, was added to the OEO extension as a floor amendment. When both bills passed and went to conference, the administration voiced concern about their cost and threatened a veto. To avoid a veto, the conferees lowered to 4,320 the income level below which services would be free and adopted a moderate scale of payments for families with incomes between that level and \$6,920



(above that level the Secretary of HEW would set fees). The language of the Senate bill was modified to give a little more role to the states and rule out communities with less than 5,000 people as prime sponsors.

The bill now moves back to the two floors where it may encounter Republican opposition, especially in the House. Republican unease is related not to cost, but to the bypassing of the states. If the bill passes, there is still the possibility of a veto, although it would surely be politically costly for the President, who has put such personal stress on the dignity of work, to veto a bill which promises to make work possible for millions of women and better the lives of children in the bargain.

Strident right-wing opposition to the bill has developed on the grounds that "child development" sounds like a 1984 attempt of the state to take over the role of the family. This criticism is pretty far fetched since participation would be entirely voluntary and the bill gives parents much more control over the new programs than they have over present public schools.

Criticism of the administrative mechanism has more substance—having all those "prime sponsors" deal directly with Washington hardly seems like an ideal administrative set-up. Unfortunately, however, state administration, especially in the Deep South, has so often proved insensitive to the needs of poor and minority children that direct funding may be necessary—at least for a few years.

To the criticism that these programs will be costly in the long-run there is no answer, except "yes." The bill to be voted on authorizes spending \$2 billion a year for two years on the assumption that participation in the programs will be far from universal, a reasonable assumption in view of difficulty of organizing and staffing good programs quickly. In the longer run, however, it just has to be recognized that providing first-rate services to preschool children and adding after-school activities for older children is going to be expensive—\$10 billion a year could be spent easily. The cost to the taxpayer can be reduced if middle- and upper-income people pay fees, but these fees cannot rise too steeply as income rises without reducing incentives to earn more income. (The effect is the same as a high income tax rate.) In the long run, there will be no cheap way to do a good job. If the Child Development Bill becomes law there will at least be a hope that federal funds for day care will be spent primarily to meet the needs of children, not just to keep them busy while their mothers work.

#### CONGRESSMAN JOHN F. SEIBERLING INTRODUCES SOCIAL SECURITY REFORM LEGISLATION

(Mr. SEIBERLING asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SEIBERLING. Mr. Speaker, today I am introducing a bill to reform the social security financing system, and provide substantial benefit increases. The bill would provide—

A 20-percent across-the-board increase in social security benefits;

An increase to \$100 in the minimum benefit;

Expansion of the taxable wage base to \$15,000; and

Assumption of one-third of the total costs of maintaining social security by the Federal Government.

The present system of financing social

security has reached the breaking point, and unless the program is significantly reformed, it cannot continue to meet its goal of providing financial security for retired persons.

Under the current system, the payroll tax continues to rise, placing an unfair and almost intolerable burden on low and middle income wage earners. At the same time, social security benefits continue to be well below the level needed to provide our elderly with security. Subsidies, and a meager one at that, is a more accurate description of the kind of life style an old person can sustain on the minimum social security benefits of \$70 a month.

We are all familiar with the depressing statistics of the economics of aging. There are 20 million elderly Americans among us today, and one out of every four of them lives in poverty. Another 25 percent live close to the poverty level. For most of the rest, the "golden years" are a time of belt tightening and self-denial in a constant struggle—after a lifetime of work and sacrifice—to make ends meet. Inflated food prices and rents, increased property and sales taxes, more frequent need for medical attention coupled with rising drug costs, increased hospital bills and higher physician fees—all combine to make the lot of millions of older persons living on fixed incomes more precarious every day.

The tragic irony is that as America as a nation becomes more affluent, its elderly—who helped lay the foundations of its wealth—are becoming more impoverished.

While the number of Americans under age 65 living in poverty is steadily declining, the number of people 65 and older who are living in poverty is steadily increasing. In just 1 year, between 1968 and 1969, the number of aged poor in this country increased by 200,000 people. The sad fact is that older Americans are twice as likely to be poor as younger persons today. A survey conducted in 1968 by the Social Security Administration revealed that only one-third of all aged couples had incomes large enough to support at least a moderate standard of living—defined by the Bureau of Labor Statistics at \$3,930 for a retired couple.

I could cite more statistics. They are readily available, and I commend the excellent reports of the Senate Special Committee on Aging to anyone who is not familiar with them.

But as Members of Congress, we have another, and more vivid, index of the economic crisis facing the Nation. Its severity is brought to our attention every day in poignant letters from our own constituents. Let me read to you from just two of the many letters I have received. I think they describe the crisis with much greater clarity and urgency than abstract statistics ever can. One woman wrote:

Today I got my Social Security check, which was for \$71.50, and a notice with it saying this check included the benefit increase, which means for me only \$7.30 more than I have been getting, which is \$64.20. How far will \$7.30 go? Every time we get a few dollars' raise, prices go up. How in God's

name does that benefit us, who are merely existing as it is?

Another wrote:

Nobody in this world can live on \$64 a month. . . . So many people are put in those terrible homes. . . . I think it's a pity and disgrace that the richest country in the world can't provide enough money for an elderly person to live a decent life in a decent place.

Probably no group in our society has received lower priority in the efforts of the last decade to provide a quality life for all Americans than our senior citizens. For example, this year the administration requested a token \$29.5 million—about one-fourth of the congressional authorization—to fund all the programs of the Administration on Aging. According to estimates from the Office of Economic Opportunity, only 12 percent of its funds are directed toward programs for the elderly, although elderly poor represent 27 percent of all poor people. The same is true in federally funded manpower programs where persons over the age of 45 represent only 4 percent of the total enrollees, although they represent over 30 percent of the long-term unemployed.

There are hopeful signs that this pattern of neglect is changing. A strong bipartisan congressional effort this year resulted in a 52-percent increase over the administration's original budget request for the Administration on Aging. The convening of the White House Conference on Aging now in session in Washington could mean a new era of concern for senior citizens. And perhaps most encouraging of all, senior citizens all over the country are organizing to demand their rightful share of the Nation's wealth.

Certainly, a far greater commitment at the Federal level is essential to turn the tide of the worsening plight of the aged. And first priority in this effort must be to assure that every senior citizen has a minimum income.

The bill I am introducing today will make it possible to extend financial security to senior citizens through substantial increases in social security benefits, without breaking the backs of today's wage earners.

As inadequate as they are, social security benefits are the only source of income for many of our senior citizens. In 1967, 30 percent of all persons over age 65 depended on social security for almost their entire support, and it is safe to say that virtually all these people are living below the poverty level.

For them, a token increase of 5 percent will not do. Nor will the 10-percent increase already passed by the House. What is needed by our elderly today is an increase of at least 30 percent, inclusive of the increase already passed by Congress this year.

But the present practice of financing social security solely through the mechanism of the payroll tax will not sustain an increase of this size. Too much of the burden of that tax is already borne by lower and middle income wage earners, many of whom are already having trouble making ends meet.

If benefit increases remain tied to payroll tax increases, there is little hope that benefits can be increased enough to lift today's generation of old people out of poverty. In the long run, if we continue to rely on the payroll tax as the sole source of social security revenues, when the postwar generation reaches retirement age the tax burden on their children will become unbearable.

Recently, removal of the ceiling on taxable wages—presently set at \$7,800—and changes in the methods of calculating payroll tax rates have been suggested as ways of lightening the worker's taxload and increasing benefits. While such tinkering with the finance machinery may bring shortrun relief, it will not solve our problems in the long run.

Lifting the wage ceiling above its \$7,800 level—or removing it entirely—may permit a slight reduction in the tax burden on middle and lower income wage earners, but it will not permit a substantial increase in benefits. Elimination of the wage ceiling would not add significantly to social security revenues because three-fourths of our wage earners still earn \$7,800 or less. The additional money for increased benefits would still have to be raised through increases in the tax rate. The tax blow to workers would only be postponed, not softened. Removal of the payroll tax ceiling does not solve the basic problems of the tax—namely that it has been stretched to the breaking point.

Changing the actuarial assumptions of the system—the basis on which tax rates are figured—is no solution, for the same reason that removal of the wage ceiling is not. The payroll tax would still be retained as the system's only source of revenues and tax rates would still have to be increased substantially to support increased benefits. The shortrun gains which might be realized by such a change are politically appealing, but would only be cosmetic; the basic inflexibility of the payroll tax would come back to plague us in the future.

Financing one-third of social security costs from general revenues is, in my opinion, the only way out of our present dilemma.

This is not a new idea. Original proposals for the social security programs, advanced in the 1930's, envisioned the use of general revenues starting about 1965. During the 1940's, the law authorized an appropriation from general revenues if it was needed to keep the program solvent.

This bill provides for substantial benefit increases, and through the introduction of general revenue financing, it makes the social security finance mechanism flexible enough to support them. Benefits can be increased without burdensome increases in the payroll tax.

Under the present system, if the payroll tax schedule proposed under H.R. 1 actually takes effect, the worker's tax load will be increased without a substantial increase in the retiree's benefits.

His payroll tax rate will rise nearly 20 percent in just 4 years, while the retired person's benefit income will not increase

by more than 15 percent over what he was receiving prior to June 1971.

In contrast, one-third Federal funding of social security would permit us to raise the minimum monthly benefit to \$100, effect an across-the-board benefit increase of 30 percent over 1970 levels, and reduce the payroll tax rate by more than 20 percent.

The brief table which follows this speech compares in greater detail the tax rates scheduled under H.R. 1 with those which would be required to finance social security, given a one-third contribution from general revenues.

The potential costs of general revenue financing are substantial. In the event of a benefit increase of the size I have just mentioned, the Federal share would run to \$24 billion in fiscal 1973. This may seem high, but a substantial portion of this cost could be met by reallocating Federal funds. For example, a cut of just 10 percent in the \$71 billion the House has appropriated for next year's military budget would be sufficient to absorb nearly a third of the cost of the Government's social security contribution.

There is certainly ample room for at least a 10-percent cut in military spending. We are presently committed to spending millions, and eventually billions, of dollars for complicated weapons systems of very dubious merit. The Air Force's B-1 bomber, the Navy's F-14 fighter, the Army's Cheyenne helicopter, and the Marine Corps' Harrier aircraft are all examples of expensive, sophisticated weapons systems in search of mission. We are spending \$16 billion a year in Southeast Asia. Termination of our involvement in that part of the world will free those funds for other purposes. They could be rechanneled into domestic programs such as social security; but the question is, will they? Or will they simply be gobbled up by new military spending? Will we keep adding to our already overstocked inventory of destruction, or will we finally call a halt to excessive military spending and start meeting the pressing social needs of this country and millions of its impoverished, elderly citizens? This question is really the essence of the current struggle over our national priorities.

Reallocation of resources is only one way of raising the revenues to cover the Federal share of social security. We can also raise billions in new tax dollars through tax reform. Several bills to close tax loopholes are now pending before the House. One of them, introduced by my distinguished colleague, Mr. CORMAN, would provide \$11 billion in additional revenues in 1973 and \$19 billion a year by 1980.

It should also be noted that, at a time when Congress is considering legislation which it is hoped will stimulate the economy and increase employment, the enactment of my bill will do just that. The overwhelming majority of those who would receive the increased social security benefits will necessarily spend the money almost immediately. This will create additional consumer demand on a massive scale, with a strong stimulative effect on the entire economy.

Nor will the effect be inflationary. Not only will this increased consumer demand be imposed on a slack economy, but the resulting increase in business volume will not represent a proportionate increase in business costs. At the same time, the increase in volume will result in an increase in Federal tax revenues.

Most or all of the cost of the Federal contribution to social security could be met through a reordering of our priorities and reform of our tax laws, but I have no illusion that this would be an easy thing to do politically. In the event that no such reordering or reform occurred, and an income tax increase was required to pay for the Federal contribution to social security, most wage earners would still be better off under this proposal than they are under the present archaic system.

As a case in point, I would like to cite a constituent of mine. This man wrote to me quite recently. He said:

I am . . . 39 years old and self-employed. Last year my income was approximately \$9,000. I am married and have two children at home. For 1970, my income tax was \$824.65 and Social Security was \$538.20. I don't mind paying income tax to support my government, but I resent having to pay Social Security in the amounts I pay today, and the planned raise in the future.

This man's social security tax is already a heavy burden on him. Under H.R. 1 and the present finance system, his tax will increase to \$675 next year and to \$738 by 1975. He will be paying almost as much in social security taxes as he does in income taxes. His case is, I think, typical of many middle-income wage earners. Under my proposal, however, their payroll tax burden could be substantially reduced.

Any increase in personal income taxes which might be required to finance the Federal share of social security costs would be spread over a wider base than that covered by the social security payroll tax. This fact in itself would tend to moderate the size of the increase for middle- and lower-income families. In addition, the personal income tax is more progressive than the payroll tax and—unlike the payroll tax—takes into account the taxpayer's family responsibilities, medical expenses, and financial obligations. Thus, the size of the increase in his income tax would be determined by his ability to pay. That is not the case with payroll tax increases.

The reduction in payroll tax, which would be possible under one-third general revenue financing, would further offset any increase in the average person's income tax. I think it is clear that in the long run, this method of financing social security will mean much smaller net tax increases for most of our wage earners, than those which will occur if the H.R. 1 tax schedule is adhered to.

Is Federal assumption of one-third of the cost of social security a drastic step? In comparison to proposals advanced over the years for reform of the finance mechanism, perhaps it is.

But then, the plight of the millions of



elderly people presently condemned by this society to decline and die in poverty and despair after a lifetime of hard work is nothing short of drastic. A crisis of this magnitude demands a bold solution. Small-scale tinkering with the social security apparatus will not resolve the eco-

nomic problems facing those of our citizens who have grown poor because they have grown old. Responding to the economic crisis of the aging by giving them another \$5 or \$10 a month is like trying to put out a forest fire with a water pistol. But the present, outmoded method

of social security financing will not let us do more. A major overhaul of the finance machinery is absolutely necessary if we are going to meet the economic needs of our senior citizens without breaking the backs of our workers. I include the following:

A COMPARISON OF EMPLOYER-EMPLOYEE PAYROLL TAX RATES AND DOLLAR CONTRIBUTIONS FOR 1972 AND 1975 UNDER THE PRESENT FINANCE STRUCTURE (H.R. 1) AND UNDER  $\frac{3}{8}$  GENERAL REVENUE FINANCING

(In percent)

	Present system (H.R. 1)				$\frac{3}{8}$ Federal contribution <sup>1</sup>			
	OASDI	HI	Combined	Individual contribution <sup>2</sup>	OASDI	HI	Combined	Individual contribution <sup>2</sup>
1972	4.2	1.2	5.4	\$421	3.5	0.6	4.1	\$319
1975	5.0	1.2	6.2	483	3.8	1.7	4.5	351

<sup>1</sup> Covers the cost of a 20-percent across-the-board increase in present benefit payments with a minimum primary benefit of \$100. Taxable wage base includes all wages and salaries up to \$15,000.

<sup>2</sup> Computed by applying the combined tax rate to annual wages of \$7,800.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DAVIS of South Carolina (at the request of Mr. Boggs) for today, on account of official business.

Mr. HAGAN, for Thursday, December 2, 1971, through Monday, December 6, 1971, to attend a funeral.

Mr. RAILSBACK (at the request of Mr. GERALD R. FORD), for this week, on account of official business.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SCHMITZ) and to revise and extend their remarks and include extraneous matter:)

Mrs. HECKLER of Massachusetts, for 30 minutes, today.

Mr. MILLER of Ohio, for 5 minutes today.

Mr. HALPERN, for 5 minutes, today.

Mr. ASHBROOK, for 30 minutes, today.

Mr. QUIE, for 60 minutes, today.

Mr. STEIGER of Wisconsin, for 15 minutes, today.

Mr. FINDLEY, for 5 minutes, today.

(The following Members (at the request of Mr. DENHOLM) to revise and extend their remarks and include extraneous material:)

Mr. GONZALEZ, for 10 minutes, today.

Mr. REUSS, for 10 minutes, today.

Mr. ASPIN, for 10 minutes, today.

Mr. PODELL, for 30 minutes, today.

Mr. JAMES V. STANTON, for 10 minutes, today.

Mr. BOGGS, for 15 minutes, today.

Mr. RANDALL and to revise and extend his remarks and include extraneous matter for 15 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. HOLIFIELD in two instances.

Mr. BRADEMAS to revise and extend his

remarks and include extraneous matter in colloquy with Mr. GERALD R. FORD on nutrition bill.

Mr. RANDALL to revise and extend his remarks in colloquy with Mr. GERALD R. FORD on nutrition bill.

(The following Members (at the request of Mr. SCHMITZ) and to include extraneous matter:)

Mr. SCHWENGLER in two instances.

Mr. YOUNG of Florida in five instances.

Mr. HAMMERSCHMIDT.

Mr. GOODLING.

Mr. ARCHER in three instances.

Mr. COLLINS of Texas in three instances.

Mr. VEYSEY in four instances.

Mr. WYMAN in two instances.

Mr. MCDADE.

Mr. DEL CLAWSON.

Mr. RHODES.

Mr. WAMPLER.

Mr. WYDLER.

Mr. EDWARDS of Alabama.

Mr. LANDGREBE.

Mr. MCCLURE.

Mr. SCHMITZ in two instances.

Mr. DERWINSKI.

Mr. FREY.

Mr. HALPERN in three instances.

Mr. COLLIER in five instances.

Mr. BROTZMAN.

Mr. TERRY.

Mr. CHAMBERLAIN.

Mr. DUNCAN.

Mr. McDONALD of Michigan in two instances.

Mr. KUYKENDALL.

Mr. ESCH in two instances.

Mr. BAKER.

(The following Members (at the request of Mr. DENHOLM) and to include extraneous matter:)

Mr. GONZALEZ in three instances.

Mr. FRASER in five instances.

Mrs. HICKS of Massachusetts in two instances.

Mr. ROGERS in five instances.

Mr. KLUCZYNSKI in three instances.

Mr. FOUNTAIN in two instances.

Mr. RYAN in three instances.

Mr. HAGAN in three instances.

Mr. BOLLING in two instances.

Mr. RANGEL in four instances.

Mr. BURTON.

Mr. PURCELL.

Mr. CULVER in five instances.

Mr. ASHLEY.

Mr. PASSMAN.

Mr. KASTENMEIER.

Mr. CONYERS in 10 instances.

Mr. STUCKEY in two instances.

Mr. WALDIE in six instances.

Mr. ICHORD in two instances.

Mr. O'HARA.

Mr. MINISH.

Mr. BRADEMAS in six instances.

Mr. HELSTOSKI in five instances.

Mr. FULTON of Tennessee in two instances.

Mrs. GRASSO in 10 instances.

Mr. SCHEUER.

Mr. PICKLE in two instances.

Mr. JACOBS.

Mrs. ABZUG in 10 instances.

#### SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1163. An act to amend the Older Americans Act of 1965 to provide grants to States for the establishment, maintenance, operation, and expansion of low-cost meal projects, nutrition training and education projects, opportunity for social contacts, and for other purposes; to the Committee on Education and Labor.

#### ADJOURNMENT

Mr. SEIBERLING. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 43 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, December 2, 1971, at 11 o'clock a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1328. A letter from the Attorney General, transmitting a report on identical bidding in advertised public procurement covering calendar year 1970, pursuant to section 7 of Ex-

Executive Order 10936 issued April 24, 1961; to the Committee on the Judiciary.

1329. A letter from the Assistant Administrator, Agency for International Development, Department of State, transmitting the semi-annual report on architectural and engineering fees in excess of \$25,000 for the period ended December 31, 1970, pursuant to section 102 of the Foreign Assistance and Related Programs Appropriation Act; to the Committee on Appropriations.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BURKE of Massachusetts: Committee on Ways and Means. H.R. 3233. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on olives packed in certain airtight containers; with amendments (Rept. No. 92-693). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS of Arkansas: Committee on Ways and Means. H.R. 10379. A bill to amend the Tariff Schedules of the United States to provide for a partial exemption from duty for articles previously exported from the United States composed in part of fabricated components the products of the United States, when returned after having been exported, without having been advanced in value or improved in condition while abroad; with amendments (Rept. No. 92-694). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Texas: Committee on Rule. H. Res. 719. Resolution waiving points of order against H.R. 11955, a bill making supplemental appropriations for the fiscal year ending June 30, 1972, and for other purposes (Rept. No. 92-695). Referred to the House Calendar.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 3333. A bill to provide for the disposition of judgments, when appropriated, recovered by the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Mont., in paragraphs 7 and 10, docket No. 50233, U.S. Court of Claims; and for other purposes; with amendments (Rept. No. 92-696). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 9019. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Jicarilla Apache Tribe in Indian Claims Commission docket No. 22-A, and for other purposes; with an amendment (Rept. No. 92-697). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 9325. A bill to provide for division and for the disposition of the funds appropriated to pay a judgment in favor of the Blackfeet Tribe of the Blackfeet Indian Reservation, Mont., and the Gros Ventre Tribe of the Fort Belknap Reservation, Mont., in Indian Claims Commission docket No. 279-A, and for other purposes; with amendments (Rept. No. 92-698). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 9702. A bill to declare that certain public lands are held in trust by the United States for the Summit Lake Paiute Tribe, and for other purposes (Rept. No. 92-699). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 10702. A bill to declare

that certain federally owned land is held by the United States in trust for the Fort Belknap Indian Community (Rept. No. 92-700). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 10846. A bill to provide for the apportionment of funds in payment of a judgment in favor of the Shoshone Tribe in consolidated dockets Nos. 326-D, 326-E, 326-F, 326-G, 326-H, 366 and 367 before the Indian Claims Commission, and for other purposes; with an amendment (Rept. No. 92-701). Referred to the Committee on the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABOUREZK (for himself, Mr. BADILLO, Mr. BINGHAM, Mr. BURTON, Mr. COLLINS of Illinois, Mr. DIGGS, Mr. EDWARDS of California, Mr. HARRINGTON, Mr. HELSTOSKI, Mr. LINK, Mr. PODELL, Mr. ROE, Mr. ROY, and Mr. SMITH of Iowa):

H.R. 11974. A bill to provide housing for persons in rural areas of the United States on an emergency basis; to the Committee on Banking and Currency.

By Mr. ADDABBO:

H.R. 11975. A bill to amend the Postal Reorganization Act of 1970, title 39, United States Code, to eliminate certain restrictions on the rights of officers and employees of the Postal Service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BURLINSON of Texas:

H.R. 11976. A bill to suspend the duties on fuorspar until the close of January 1, 1974; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 11977. A bill to amend the Internal Revenue Code of 1954 to provide an additional personal exemption of \$750 for each of the next 2 years for certain servicemen and for the spouses of certain servicemen; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 11978. A bill to provide for the appointment of transcribers of official court reporters' transcripts in the U.S. district courts, and for other purposes; to the Committee on the Judiciary.

By Mr. GARMATZ:

H.R. 11979. A bill to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act to revise the eligibility conditions for annuities, to change the railroad retirement tax rates, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HARRINGTON:

H.R. 11980. A bill to amend the Uniform Time Act of 1966 to postpone the conclusion of the daylight saving time period of the year until after election day; to the Committee on Interstate and Foreign Commerce.

By Mr. HASTINGS (for himself, Mr. ROGERS, Mr. KYROS, Mr. ROY, Mr. NELSEN, and Mr. CARTER):

H.R. 11981. A bill to amend the Public Health Service Act to provide assistance and encouragement for the establishment and expansion of health maintenance organizations, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KING:

H.R. 11982. A bill to provide for the compensation of persons injured by certain criminal acts, to make grants to States for the payment of such compensation, and for other purposes; to the Committee on the Judiciary.

By Mr. McDADE:

H.R. 11983. A bill to establish the Federal Medical Evaluations Board to carry out the functions, powers, and duties of the Secretary of Health, Education, and Welfare relating to the regulation of biological products, medical devices, and drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. McMILLAN:

H.R. 11984. A bill to amend the Occupational Safety and Health Act of 1970 to exempt nonmanufacturing business, in States having laws regulating safety in such businesses, from the Federal standards created under such act; to the Committee on Education and Labor.

By Mr. MATHIS of Georgia:

H.R. 11985. A bill to enable producers of commercial eggs to consistently provide an adequate but not excessive supply of eggs to meet the needs of consumers for eggs and to stabilize, maintain, and develop orderly marketing conditions for eggs at prices reasonable to the consumers and producers; to the Committee on Agriculture.

By Mr. PODELL:

H.R. 11986. A bill to promote the public welfare by providing for compensation to victims of violent crimes, and for other purposes; to the Committee on the Judiciary.

By Mr. RANGEL:

H.R. 11987. A bill to amend the Self-Employment Contributions Act of 1954 to provide that an election to be exempt from coverage under the old-age, survivors, and disability insurance program, made by a minister, a member of a religious order, or a Christian Science practitioner, may be revoked at any time; to the Committee on Ways and Means.

By Mr. THOMPSON of New Jersey (for himself and Mr. MEEBS):

H.R. 11988. A bill to amend the Service Contract Act of 1965 to revise the method of computing wage rates under that act; to the Committee on Education and Labor.

By Mr. TIERNAN (for himself, Mr. ST GERMAIN, and Mr. DU PONT):

H.R. 11989. A bill to amend the Lead-Based Paint Poisoning Prevention Act to permit grants thereunder to be made to a State agency in any case where local agencies are prevented by State law from receiving and expending such grants; to the Committee on Banking and Currency.

By Mr. WOLFF (for himself and Mr. ADDABBO):

H.R. 11990. A bill to provide for Federal collection of State individual income taxes, to provide funds to localities for Federal high-priority purposes, and to provide funds to States to encourage more efficient use of revenue sources; to the Committee on Ways and Means.

By Mr. HATHAWAY:

H.R. 11991. A bill to make available to certain organized tribes, bands, or groups of Indians residing on Indian reservations established under State law certain benefits, care, or assistance for which federally recognized Indian tribes qualify as recipients; to the Committee on Interior and Insular Affairs.

By Mr. HUNGATE (for himself, Mr. MIKVA, Mr. FRASER, and Mr. FAUNTROY):

H.R. 11992. A bill to amend the District of Columbia Election Act, and for other purposes; to the Committee on the District of Columbia.

By Mr. JAMES V. STANTON:

H.R. 11993. A bill to provide death benefits to survivors of certain public safety and law enforcement personnel, and public officials concerned with the administration of criminal justice and corrections, and for other purposes; to the Committee on the Judiciary.



By Mr. SEIBERLING:

H.R. 11994. A bill to amend title II of the Social Security Act to provide a 20-percent across-the-board increase in benefits (with a \$100 minimum primary benefit), to increase the earnings base to \$15,000 for both benefit and tax purposes, and to provide that one-third of the revenues required for the social security programs be contributed by the Federal Government (with corresponding reductions in tax rates); to the Committee on Ways and Means.

By Mr. QUIE:

H.J. Res. 989. Joint resolution to establish a Joint Committee on Aging; to the Committee on Rules.

By Mr. ASPIN (for himself, Mrs. ABZUG, Mr. BADILLO, Mr. BRADEMANS, Mr. COUGHLIN, Mr. DULSKI, Mr. FRASER, Mrs. GRASSO, Mr. HALPERN, Mr. HARRINGTON, Mr. HELSTOSKI, Mr. KOCH, Mr. LONG of Maryland, Mr. MOORHEAD, Mr. MORSE, Mr. O'HARA, Mr. PIKE, Mr. ROY, Mr. SCHWENGEL, and Mr. SEIBERLING):

H.J. Res. 990. Joint resolution directing that no further action be taken with respect to the development of the trans-Alaska pipeline until a comprehensive and independent

study is made of the economic and ecological aspects of a trans-Canada pipeline; to the Committee on Interior and Insular Affairs.

By Mr. CEDERBERG:

H. Con. Res. 470. Concurrent resolution expressing the sense of the Congress with respect to obtaining recommendations for appropriate steps to obtain an accountability of, humane treatment for, and release of, Americans held prisoner or missing in Southeast Asia; to the Committee on Foreign Affairs.

By Mr. ROSENTHAL (for himself, Mr. ANDERSON of Illinois, Mr. BURKE of Florida, Mr. BUCHANAN, Mr. FINDLEY, Mr. FRELINGHUYSEN, Mr. GALLAGHER, Mr. HAMILTON, Mr. LLOYD, Mr. MURPHY of Illinois, Mr. O'NEILL, Mr. TAYLOR, Mr. VANDER JAGT, and Mr. YATRON):

H. Con. Res. 471. Concurrent resolution to seek relief from restrictions on Soviet Jews; to the Committee on Foreign Affairs.

By Mr. BROTZMAN:

H. Res. 720. Resolution calling for the shipment of F-4 Phantom aircraft to Israel in order to maintain the arms balance in the Middle East; to the Committee on Foreign Affairs.

By Mr. MITCHELL:

H. Res. 721. Resolution calling for the shipment of Phantom F-4 aircraft to Israel in order to maintain the arms balance in the Middle East; to the Committee on Foreign Affairs.

By Mr. MONAGAN:

H. Res. 722. Resolution that the House of Representatives express its concern over the present situation in Northern Ireland and that the Government of the United States in all branches be requested to offer its services to obtain certain goals; to the Committee on Foreign Affairs.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. LUJAN:

H.R. 11995. A bill for the relief of Norman Yazzie; to the Committee on the Judiciary.

By Mr. McDADE:

H.R. 11996. A bill for the relief of John Fletcher Hurst; to the Committee on the Judiciary.

## EXTENSIONS OF REMARKS

### THE PETER COOPER-STUYVESANT AUXILIARY POLICE FORCE

**HON. EDWARD I. KOCH**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 30, 1971*

Mr. KOCH. Mr. Speaker, one of the most dispiriting effects of the continual rise in urban crime is the feeling that people are helpless as well as frightened. Recently, I informed my colleagues of one simple and effective action which city residents can take to combat crime that involved a whistle signal system. There are other approaches to the problem, however, and I would like to call my colleagues' attention to the response of one particular neighborhood in my district.

The Peter Cooper Village-Stuyvesant Town area is a large middle-class area that has—like so many other areas—been experiencing a rise in the rate of crime. Rather than succumbing to a feeling of helplessness, though this community started a membership drive, led by the operation safety committee of the town and village civic association for an auxiliary police force.

These auxiliary police are all private citizens who live in the area. They volunteer their services to work in patrols at night and their primary function is to help rescue people in need and to alert police to potential crime. At present, the Peter Cooper-Stuyvesant Auxiliary Police Force is composed of 31 men and two women—the women, however, do not patrol at night—and is still growing.

The brave men and women who volunteer for the auxiliaries are indeed to be commended. They represent the spirit of a community that refuses to throw up its hands in despair in the face of crime. The auxiliaries are unarmed but work closely with the local police as the sentinels of the community. In the words

of the captain of the local precinct, the force "has proven to be an exceptional adjunct to our regular police forces in combating crime in Peter Cooper Village, Stuyvesant Town, and throughout the 13th precinct."

One of the reasons for the interest and dedication shown by these auxiliary policemen and women is the strong support given to the auxiliary police recruitment campaign by the local newspaper, Town and Village, edited and published by Mr. Charles Hagedorn. I am inserting a brief article from a recent Town and Village edition that tells the story of this community's determined fight against crime:

#### AUXILIARY POLICE PROCEDURES "BEEFED UP" HERE

"Our Auxiliary Police force has proven to be an exceptional adjunct to our regular police forces in combating crime in Stuyvesant Town, Peter Cooper Village, and throughout the 13th Precinct," said Captain Marvin Boland, commander of the precinct located at 230 East 21st Street near Second Avenue.

"We now have 31 Auxiliary Policemen and two women in the AP program," he said, "and they help to make Stuyvesant and Cooper what is probably one of the best patrolled areas in the City of New York."

Captain Boland made the observations while he announced several changes in Auxiliary Police procedure to be instituted this week in the community.

"On each tour of duty, every Auxiliary Patrolman who is out on patrol will switch posts halfway through the tour," he said. This will make the volunteers "more visible" throughout the community, and they will appear to be on patrol in twice the number of places each night. This plan, according to Captain Boland, "seeks to develop a feeling of the omnipresence of patrolmen in the area."

Communications between auxiliaries and regular patrolmen have been a problem plaguing the Auxiliary force since its inception. Captain Boland has requisitioned additional walkie-talkies, which he hopes will be used by the Auxiliary Police while on patrol. With radio in hand, the Auxiliary Patrolman will be able to summon regular police assist-

ance almost instantly through a clear channel to the police central dispatcher. Several teams of Auxiliaries are now patrolling with the radios.

Volunteers have begun to come forward to patrol on more than two nights a week, the Captain noted, as well. When the program began in the spring, volunteers only patrolled on Monday and Wednesday nights. Now, the volunteers in blue are beginning to patrol five nights a week on a regular basis. A volunteer need only work four nights a month to retain "active" status. In conjunction with regular police forces who patrol constantly, the Auxiliaries and the Stuyvesant Town guards will again enhance their "omnipresence" by increasing the frequency of their patrols.

Last Saturday's Auxiliary Police membership drive recruited 20 new volunteers. More are still sorely needed, Captain Boland said. Anyone, male or female, between the ages of 18 and 55 may enroll in the Auxiliary Police by contacting Patrolman Joseph Butler of the 13th Precinct at 777-8700.

### WILLARD EDWARDS

**HON. H. R. GROSS**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 30, 1971*

Mr. GROSS. Mr. Speaker, I cannot let this day pass without calling attention to the fact that it marks the 50th anniversary of Willard Edwards employment by the Chicago Tribune.

Willard Edwards, one of the Nation's most highly respected newspapermen, is known far and wide across this land for his accurate and courageous reporting of the news.

Mr. Speaker, it is given to few men in the field of journalism to spend a half century working for the same newspaper and this golden anniversary of toil in the vineyard of news reporting is a tribute to both Willard and the Chicago Tribune.