

world, calling upon them to honor the value of human life.

Eight times Pope Paul VI has journeyed to foreign nations to walk among the people—to talk and to reason about problems so often bypassed by others or disguised in a cloak of rhetoric. His footsteps are halted neither by praise nor by criticism.

Head of the largest religious population in the world, Pope Paul VI occupies a powerful place among the leaders of today—yet, his strength is unique. He leads not with the backing of mighty armies but with the majesty of God. And this good man, with unshakable faith, advocates that mortals must live together with tolerance for one another

and respect for authority, if mankind is to continue on this earth.

Fifty years ago, Giovanni Batista Montini was ordained a priest. From his earliest youth, it was recognized that he had high intellectual capabilities and even then, he devoted his time to helping the sick and the poor and the fallen-away Catholics in his neighborhood. This was a strange pursuit for the son of a well-to-do Italian family.

He has held positions of increasing importance in the ensuing years but always, there remained his vital interest in others and his complete devotion to the dogma of the Church.

When the College of Cardinals selected

Cardinal Montini to be head of the church, he chose the name of Paul, a name that has been carried in times of turbulence in the church in ages past.

AMVETS represent veterans of World War II, Korea and Viet Nam. We are proud that we fought for our country and through each war, our goal has always been world peace—but it has not been so. We realize that battles must cease and each man must learn to live with the other. This is the message of Pope Paul VI.

We proudly present the AMVETS Peace Award for 1970 to His Holiness Pope Paul VI, for we believe that the world will be a better place, because he walks among us.

## HOUSE OF REPRESENTATIVES—Wednesday, April 7, 1971

The House met at 11 o'clock a.m.

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

*If any man would come after Me, let him deny himself and take up his cross and follow Me.—Mark 8: 34.*

O God and Father of us all, without whom no one is good, no one is wise, amid all the concerns which drain our strength, drown our efforts, and divide us in our endeavors on behalf of our country, may we this week—

“Take time to be holy,  
Speak oft with thy Lord;  
Abide in Him always,  
And feed on His word:  
Make friends of God's children,  
Help those who are weak,  
Forgetting in nothing  
His blessing to seek.”

Keeping ourselves hospitable to the highest and best in life, may we be prepared for the work of this day and for the Easter recess which soon will be ours.

Bless our Nation with Thy favor and make us channels through which peace and good will can flow into our world.

In the spirit of our risen Lord, 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.

### COMMUNICATION FROM THE CLERK OF THE HOUSE

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

WASHINGTON, D.C.,  
April 6, 1971.

HON. CARL ALBERT,  
The Speaker, U.S. House of Representatives,  
Washington, D.C.

DEAR MR. SPEAKER: Please be advised that the Clerk of the House has received a certified copy of the certification executed by the Board of Elections certifying the election of Walter E. Fauntroy as Delegate to the House of Representatives from the District of Columbia.

The above certification of election is on file in the Clerk's Office.

With kind regards, I am,

Sincerely,

W. PAT JENNINGS,

Clerk, U.S. House of Representatives.

### COMMUNICATION FROM CAPT. AUBREY M. DANIEL III TO THE PRESIDENT

(Mr. CORMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CORMAN. Mr. Speaker, I suppose that each of us has had a different reaction to the verdict rendered by the court-martial in the Calley matter. My own was renewed confidence in our capacity to administer justice in our Military Establishment.

Early public reaction evidencing some disfavor with the result of the court-martial was not surprising, since we have for the past several years witnessed strange, spontaneous public reactions in the whole field of the administration of justice.

What became terribly distressing to me was to watch the reaction of my President and some of my colleagues who, either through sincerity or political expediency, joined in the clamor—a clamor that seemed to me as reasonable and logical as a lynch mob.

I have not found it within my capability to put into words my total feelings. It has been done for me by a young captain in the Judge Advocate General's Corps, Aubrey M. Daniel III. Captain Daniel has spoken for me. I believe he has spoken for most loyal Americans who have had any experience in military combat, and I hope he speaks for the vast majority of American people who live in a nation dedicated to freedom and justice under the rule of law.

Mr. Speaker, I intend to request a special order today at the conclusion of all business, and any other special orders heretofore entered into, to place in the RECORD the letter from Captain Daniel to the President of the United States.

### ERA OF THE BELIEVABILITY GAP

(Mr. WOLFF asked and was given permission to address the House for 1 min-

ute and to revise and extend his remarks and include extraneous matter.)

Mr. WOLFF. Mr. Speaker, since we passed the era of credibility gaps, perhaps we should prepare for the era of believability gaps.

Consider as cases in point the following quotations:

The slaying of Vietnamese civilians at My Lai could under no circumstances be justified.

I'm going to do everything I possibly can to see that all the facts in this (My Lai) incident are brought to light and that those who are charged, if they are found guilty, are punished.

I will "see to it that what these men did—if they did it—does not smear the decent men that have gone to Vietnam in a very, in my opinion, important cause."

What appears was certainly a massacre, and under no circumstances was it justified.

All of these are quotes from the President at his televised press conference on December 8, 1969. So Mr. Speaker, to you and my colleagues, let me say in light of the President's recent actions—welcome to believability gap.

### J. EDGAR HOOVER

(Mr. DORN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORN. Mr. Speaker, J. Edgar Hoover has served our country with the utmost devotion and distinction from the very inception of the Federal Bureau of Investigation. He has made a major contribution to the survival of our democratic form of government and to the cause of individual liberty.

I fear what might have happened during the days of Nazi and Fascist subversion had it not been for Mr. Hoover and our superb FBI. At a time when Joe Stalin was pictured as a benign benefactor of humanity, J. Edgar Hoover knew of the designs of international communism and warned America in the nick of time. Today the Nation is faced with yet another threat, the threat from multi-state conspiracies of anarchists and terror bombers. The FBI is today our first line of defense against these interstate terrorists.

Mr. Speaker, one of the greatest accomplishments of the FBI has been the

training accorded to law-enforcement personnel at all levels. Mr. Hoover has inspired and helped countless thousands of law officials in leading the campaign for more efficient and scientific law enforcement. Mr. Hoover has encouraged, inspired, and supported local and State law officers. They admire and respect him.

Mr. Speaker, I shudder to think what might have happened to our democratic liberties had the FBI been formed and led these years by some other Director who was less sensitive than Mr. Hoover to the vast potential power of his position. A lesser man might not have had the strength of Mr. Hoover to avoid the intrusion of his agency, with its vast vestigative apparatus, into domestic politics. The absolute integrity, devotion to duty, and esprit de corps of Mr. Hoover and his associates has been a model for the Nation. In this most demanding and sensitive position he has defended us from domestic enemies to society while at the same time he has been the first to respect the civil liberties that keep our people free. He not only set the example here at home but was a great influence in preserving freedom throughout the Western World.

Mr. Speaker, few public officials are today as widely respected and admired by my people as is J. Edgar Hoover. My people believe in him. I am honored today to add my words of commendation and respect to those of my colleagues and of the American people. J. Edgar Hoover best epitomizes today those words made immortal by Gen. Douglas MacArthur when he said at West Point "duty, honor, and country." Mr. Hoover is a dedicated patriot, statesman, and crusader for good, who by performance, has earned the respect, high esteem, and gratitude of the American people.

#### PROPOSED LEGISLATION TO PREVENT DESECRATION OF THE NATION'S CAPITAL

(Mr. SCHERLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHERLE. Mr. Speaker, during the weeks of April 24 through May 7, a mob of antiwar protesters, estimated in the thousands, plan to camp on Government property in the District of Columbia. One of the chief spokesmen for the group, Rennie Davis, the convicted felon of the infamous Chicago riots, has been negotiating with Government officials for permission to use Rock Creek Park as their rally roost and sack-out sanatorium.

As Washington, D.C., and the Nation learned to their sorrow, the ill-fated Resurrection City, which should have been labeled "Insurrection City," cost the U.S. taxpayers approximately \$2 million to restore the publicly owned site to its original beauty. So outraged were the American people at the damage done to their Nation's Capital that the House of Representatives overwhelmingly passed legislation to prevent any recurrence of similar desecration to their

hallowed land. Subsequently the bill was referred to the other body where no action was taken, and therefore it never became law.

In order to meet the threat of this invidious invasion, I am introducing a proposal identical to that approved by the House almost 2 years ago. In no way does this proposed legislation interfere with freedom of speech or expression. It merely provides that the American people will be allowed to protect their heritage against the wanton destruction of sponging spoilers. The citizens of this Nation are in no mood to host another "Insurrection City" or to provide a propaganda pad for protestors.

#### AMERICAN PRISONERS OF WAR HELD BY THE NORTH VIETNAMESE

(Mr. BAKER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BAKER. Mr. Speaker, today marks the seventh year and 12th day during which American men have been held as POW's by the North Vietnamese.

Since capturing the first U.S. soldier in 1964, the enemy has consistently failed to abide by its Geneva Convention agreements. It has repeatedly and flagrantly violated four points contained in the agreements. The Communists are breaking elementary rules which civilized countries are expected to follow in their dealings with prisoners of war.

The Communists have never permitted impartial observers to inspect their prison camps and have refused such requests by the International Red Cross.

They have released less than a dozen prisoners in the past 5 years.

Although a few letters have been allowed to trickle back to the United States, the enemy has never allowed its prisoners a free exchange of mail with friends and family in the United States.

The North Vietnamese have made incomplete lists for propaganda purposes, but they have never made a complete disclosure of the prisoners they hold.

All these violations are creating unjustified pressures and anxieties for the friends and families of those missing in action.

I call on all concerned Americans to join me and my staff in contacting North Vietnamese officials demanding that these conditions be corrected. We must bring the pressures of world opinion to bear on Hanoi.

#### COMMENDATION OF J. EDGAR HOOVER

(Mr. MONTGOMERY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MONTGOMERY. Mr. Speaker, I rise to commend the excellent job being done by J. Edgar Hoover as Director of the FBI. I feel he has provided an invaluable service to the American people through his leadership in forming the most efficient crime fighting agency in the world. I personally feel his record of

dedication in upholding our Nation's Constitution should be envied by all.

I take exception to the statements that imply Mr. Hoover should resign because of his age. I have never felt age should be a factor in a man's ability to perform his job as long as he is physically able, which Mr. Hoover most definitely is.

Mr. Speaker, I for one welcome continued service by J. Edgar Hoover as Director of the Federal Bureau of Investigation.

#### ON THE REELECTION OF MAYOR DALEY TO A FIFTH TERM

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

Mr. PUCINSKI. Mr. Speaker, yesterday the people of Chicago reelected the foremost mayor of any city in the United States by a margin of more than 400,000 votes.

Mayor Richard J. Daley now begins a fifth term at the helm of a city administration that has amply demonstrated it works better than any other city administration in this complex country of ours.

Chicago's mayor has proved conclusively that urban problems can be handled, they can be solved, and a city of several million people can indeed be governed democratically.

This victory of Mayor Daley's should serve as a sign of the health and vitality of one of America's largest cities. During the 16 years of his administration, Chicago has faced the same problems that confront other American cities. Our people are just as diverse. We, too, have a large and growing population of emigrants from other States who are out of work, or who are poorly trained and equipped to work. We have had problems between neighborhoods and schools, between those in the city and those in the suburbs.

But Mayor Daley has refused to walk away from these problems. His own example of trying to solve them on a 24 hours a day, 52 weeks a year basis, has inspired numerous communities throughout the country to reexamine their own problems and attempt once more to cope with them. Mayor Daley's example of dedication to a great metropolitan community has, I believe, made Chicago the leading American city.

Richard Daley has proved he is equal to the difficult challenges of a vast urban area. The standards he has set for himself and his administration are high, as they should be. The results are impressive, as all the country can see.

This election victory we applaud here today stays more eloquently than words that Mayor Daley has the full confidence of the people of Chicago. They know that he cares about our city and the health and well-being of the country as a whole. Despite efforts by the media to create presidential contenders for the election next year, the people of Chicago know also that Mayor Daley's voice will be heard in national politics as well.

Mr. Speaker, I am proud to represent the city of Chicago in the Congress and to serve in the same political party with the best mayor of the 20th century.

### ATTACKS ON J. EDGAR HOOVER AND THE FEDERAL BUREAU OF INVESTIGATION

(Mr. HUNT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUNT. Mr. Speaker, in reading the news media and the various publications, I note that it now becomes open season on the Federal Bureau of Investigation and the gentleman who directs it, the Honorable J. Edgar Hoover.

Mr. Speaker, I take exception to some of the remarks that have been made prior to the introduction of any basic information that would substantiate some of the charges being made against Mr. Hoover.

How can you defile the character of a man who for over 40 years has carried out the mandate of the law of this Nation? Perhaps, some people do not know what the real job of the Federal Bureau of Investigation is. It is primarily to protect the internal security of the U.S. Government.

If someone's name should appear on a tape during a conversation sometime because they are affiliated with something or someone whose name gets into the police records, that is just too bad. Let the chips drop where they may—if people cannot stand the heat, it is best for them to get out of the kitchen.

### THE MAJORITY LEADER'S CHARGES AGAINST J. EDGAR HOOVER

(Mr. BUCHANAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUCHANAN. Mr. Speaker, the Members of this body heard the majority leader level a most serious charge against J. Edgar Hoover. He claimed that the FBI has been tapping the telephones of the Members of this body and those of the Members of the Senate.

Hard on the heels of these charges came a flat denial from an FBI spokesman, and the Attorney General of the United States, the Honorable John N. Mitchell, has categorically stated the FBI has not tapped the telephones of Congressmen or Senators.

What are the facts? The majority leader has told the press that he has irrefutable evidence. If this is so, let him produce it here and now.

There have been back-alley rumors for months and even years about alleged tapping of the phones of Congressmen and Senators. The FBI has stated repeatedly it has not engaged in such practices. I, for one, believe the FBI's denial. But, whatever the facts may be, I say let the chips fall where they may. Let's have this thing out on the table once and for all. Mr. Speaker, unsupported statements challenging the integrity of J. Edgar Hoover do serious harm to the highly respected FBI and, in fact, to our democratic form of Government.

### CHARGES MADE BY REPRESENTATIVE BOGGES AGAINST J. EDGAR HOOVER

(Mr. McCOLLISTER asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. McCOLLISTER. Mr. Speaker, I am greatly disturbed by the serious charges made on the floor yesterday by our colleague, Congressman HALE BOGGES. Particularly, I am alarmed by the Congressman's allegation that the FBI, under the leadership of Director J. Edgar Hoover, has tapped telephones of the Members of Congress.

Based on my personal knowledge and from what I have been able to determine, I feel that Congressman Bogges is in error. In fact, the Attorney General has categorically stated:

The FBI has never tapped a telephone of any Member of the House or Senate, now or in the past.

Since the Congressman from Louisiana has reportedly stated that he has "proof positive" to support his charges, I respectfully insist that the furnish such evidence to the President, to the Attorney General, and to you, Mr. Speaker, so that appropriate action can be taken.

On the other hand, if he cannot conclusively show that the FBI has indeed tapped the telephones of congressional Members, I say that he has done a great disservice, not only to Director Hoover and the FBI, but also to our country. Under such circumstances, a full and public apology by Congressman Bogges from the floor of this Chamber would be the least he could do.

### PERMISSION FOR COMMITTEE ON MERCHANT MARINE AND FISHERIES TO FILE REPORTS ON H.R. 5208 AND H.R. 6479 UNTIL MIDNIGHT APRIL 15, 1971

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries have until midnight April 15, 1971, to file reports on H.R. 5208, to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard, and H.R. 6479, to provide for the licensing of personnel on certain vessels.

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

There was no objection.

### HON. E. ROSS ADAIR NAMED AMBASSADOR TO ETHIOPIA

(Mr. BRAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BRAY. Mr. Speaker, last week it was announced from the Western White House that President Nixon had nominated one of our former colleagues, and a good friend to many of us, Ross Adair, to serve as Ambassador to Ethiopia.

Ross and I entered the House of Representatives together following the election in 1950. His 20 years' service had seen him rise to the position of ranking Republican Member on the House Committee on Foreign Affairs. With the aid of his gracious and charming wife, Marian—who, incidentally, received the Indiana Mother of the Year Award recently—Ross won the trust, confidence,

respect and affection of all he came in contact with—on Capitol Hill, in the executive department, and among the foreign embassies in this city—in this most difficult and highly important field.

Those of us who were privileged to know him well—and I dare say that includes the majority of Members of this House—have certainly missed him, but at the same time I am sure all share with me the feeling that no better appointment to the top level of our diplomatic corps abroad could have been made.

The President will be sending as Ambassador a patient, wise and highly skilled practitioner of the art, who has demonstrated this by his performance on his native soil, and in this House.

Ross and Marian Adair, as Ambassador and lady, will continue to render abroad the same faithful service they have given their country so long here at home. It is with happiness and pride that I wish them both Godspeed.

### CONGRATULATIONS TO THE HONORABLE ROSS ADAIR

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

Mr. DENNIS. Mr. Speaker, I would just like to associate myself with the remarks of the distinguished gentleman from Indiana (Mr. BRAY) who preceded me in the well. Some of the Members know Ross Adair better and longer than I, although he is one of the most distinguished citizens of our State; but it has been my pleasure and privilege to know him for some time, and to serve with him in this House, and I am confident that he will make a most distinguished representative abroad for the United States of America.

I am happy to join in congratulating him on his new honor.

### J. EDGAR HOOVER AND THE FBI

(Mr. MYERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MYERS. Mr. Speaker, the majority leader and now others in his party have added their voices in criticizing J. Edgar Hoover and the FBI. A great deal of criticism I have read seems to me to be irresponsible and based on prejudices and innuendoes. Frankly, I have heard "whisky talk" make more sense.

I think the majority leader owes it to this body to produce the facts if, indeed, he has them. He has claimed to the press to have irrefutable evidence that the FBI has bugged and wiretapped Congressmen and Senators. He has said this in the face of specific denials from the FBI and from the Attorney General of the United States.

I do not think facts are available. If they are, let us have them presented now. Have we not had enough of this "cat and mouse" game? I say we have. The outstanding record of J. Edgar Hoover, one of this Nation's great leaders and patriots, deserves better than this.

If there is evidence Hoover is spying

on elected officials in the legislative branch, present it to this body. Until hard evidence is produced, my faith in the FBI and its leadership remains unshaken.

The final proof that the FBI is not a Gestapo is the fact this body continues to exist and its Members feel free to level even malicious charges against Hoover and his employees.

#### OFFICE OF EDUCATION AND RELATED AGENCIES APPROPRIATIONS, 1972

Mr. FLOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 7016) making appropriations for the Office of Education and related agencies, for the fiscal year ending June 30, 1972, and for other purposes.

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

The motion was agreed to.

#### IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 7016, with Mr. HOLIFIELD in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the gentleman from Pennsylvania (Mr. Flood) had 9 minutes remaining, and the gentleman from Illinois (Mr. Michel) had 22 minutes remaining.

If there are no further requests for time, the Clerk will read.

The Clerk read as follows:

#### TITLE I—OFFICE OF EDUCATION ELEMENTARY AND SECONDARY EDUCATION

For carrying out, to the extent not otherwise provided, title I (\$1,500,000,000), title II (\$85,000,000), title III (\$143,393,000), title V-A (\$33,000,000), title VII, and section 807 of the Elementary and Secondary Education Act, section 402 of the General Education Provisions Act, and title III-A of the National Defense Education Act of 1958 (\$20,000,000), \$1,822,218,000: *Provided*, That (1) the amounts made available to State agencies for the purposes of section 103(a) (5), (6), and (7) of title I-A of the Elementary and Secondary Education Act and to the States for the purposes of title I-B shall not be more than the amounts made available in fiscal year 1971 for these purposes and (2) the aggregate amounts made available to each State under title I-A for grants to local educational agencies within that State shall not be less than such amounts as were made available for that purpose in fiscal year 1971.

#### POINT OF ORDER

Mr. O'HARA. Mr. Chairman, I make a point of order to the language of the provisos in the paragraph just read, beginning at line 9 on page 2, and running through line 18 on page 2.

The CHAIRMAN. The gentleman will state his point of order.

Mr. O'HARA. Mr. Chairman, my point of order is that the language in the provisos constitutes legislation on an appropriation bill. It provides for adjustments different than those provided in the authorizing legislation, to wit: Section 144

of the Elementary and Secondary Education Act, and that, in addition, the provisos require the exercise of judgment and discretionary functions on the part of the administrator; imposing those conditions upon him.

For those reasons, Mr. Chairman, I make a point of order against the language of the provisos.

The CHAIRMAN. Does the gentleman from Pennsylvania desire to be heard on the point of order?

Mr. FLOOD. I do, Mr. Chairman.

Mr. Chairman, this is the classical problem that arises in this bill since we first brought it here a few years ago. It is purely and simply a limitation, and no more and no less. We have heard the point of order before.

I suggest that the point of order not be sustained.

The CHAIRMAN (Mr. HOLIFIELD). The Chair is ready to rule.

The Chair has listened with care to the presentations of the gentleman from Michigan and the chairmen of the subcommittee. The Chair has also examined the provisions of title I of the Elementary and Secondary Education Act.

It seems to the Chair that the argument is essentially this: certain appropriations are authorized for programs under title I of the act. The Committee on Appropriations has reduced this amount and has appropriated \$1.5 billion. There are within title I of the act certain legislative directions to the Commissioner of Education about how entitlements for the various State educational agencies are to be computed. These are rather complicated and the Chair does not think it necessary to explain them in detail. But the Chair does wish to refer to the explicit language of section 144 of the act, and will paraphrase a portion of that section:

If the sums appropriated for any fiscal year for making the payments provided in this title are not sufficient to pay in full the total amounts which all local and State education agencies are eligible to receive—

And that is the case now before this Committee.

the amount available for each grant to a state agency under paragraphs (5), (6) or (7) of section 103(a) shall be equal to the maximum grant as computed under such paragraph . . .

The section then provides for certain ratable reductions for other programs under that title.

The Chair has also examined certain precedents relating to the doctrine of limitations on appropriation bills. It is clear from those precedents that while it is proper in an appropriation bill to deny an appropriation or refuse to appropriate for a specific object or program which may be authorized by law, it is not in order, under the guise of a limitation, to impose new duties on an executive officer, to curtail the discretion given that officer under law or to change the law.

The Chair feels that the provision in the bill to which the point of order is directed conflicts with these well-established doctrines. The Chair therefore sustains the point of order.

Mr. GUBSER. Mr. Chairman, I move to strike out the last word.

(By unanimous consent, Mr. GUBSER was allowed to speak out of order and to revise and extend his remarks.)

#### THE CALLEY TRIAL—ARE CALLEY'S APPEAL RIGHTS BEING PREJUDICED?

Mr. GUBSER. Mr. Chairman, as one of the four members of the Armed Services Investigating Subcommittee which investigated the unfortunate occurrence on March 16, 1968, at My Lai 4 in South Vietnam, I have probably been exposed to more of the facts regarding the incident than most civilians. Our committee heard more than 100 witnesses in executive session and took more than 4,000 pages of testimony. Our report was straightforward and clearly stated.

Competent testimony established conclusively that a large number of unarmed Vietnamese, not in uniform, were deliberately killed at My Lai 4 on March 16, 1968 . . .

Later, in the same paragraph, our report stated:

Some were killed inadvertently under circumstances which would preclude the assignment of blame. Some were deliberately killed, and that cannot be condoned.

Members of the subcommittee agreed that we would make no comment whatever regarding the guilt or innocence of officers and men charged by the Army in the case. We felt that this was properly the function of a court-martial proceeding and that we should not attempt to prejudice such a proceeding with legislative judgment. To this day all four members of the subcommittee have scrupulously adhered to this decision.

At present one officer has been convicted of premeditated murder by a military court-martial. In keeping with the agreement made by the subcommittee, I will not comment on the findings of the court in the case. At least one other officer will be on trial for his life and his rights must not be prejudiced.

Mr. Chairman, I feel obliged to speak out today and to raise questions about administrative procedures which have followed the conviction of Lieutenant Calley. I sincerely feel that his right to a fair and impartial utilization of the appeal procedures available to him may have been prejudiced by administrative decisions. I feel that a dual standard is being applied—one pertains to the accuser and the prosecution, and still another applies to the accused and the defense.

Following the verdict, Lieutenant Calley was admonished to make no statement to the press and not to talk publicly in any manner. I could understand this if the same requirement were imposed upon the military men who prosecuted Calley and convicted him. Day after day members of the Calley jury have defended their decision and in this morning's newspaper the prosecuting attorney makes headlines in defending the decision while attacking the President of the United States.

Mr. Chairman, Lieutenant Calley is not finally convicted. The Uniform Code of Military Justice provides him with appeal procedures which have not yet been exercised. Why should he be

gagged from speaking out while his accusers and prosecutors are under no such restraint? This is a dual standard of justice.

President Nixon has done no more than state that the defendant in this case shall be confined in his quarters under guard rather than the stockade. He has also stated his intention to utilize his constitutional right as Commander in Chief to make the final decision regarding the case. Not once has he referred to the merits of the case or discussed Calley's guilt or innocence. Yet the prosecuting attorney uses this proper exercise of the President's duty and right as an excuse for continuing the trial in the Nation's headlines.

Mr. Chairman, if the precedent in the famous Dr. Sheppard case were to apply, I am confident that any civilian court would determine that Lieutenant Calley's right to an appeal has been prejudiced. Even though it may now be too late, I believe Department of Army officials should forthwith direct all military personnel connected with the Calley case to refrain from comments just as they have directed Calley to do so.

Unless this is done, military justice will become an object of even further mockery. It has been dragged through the mud enough and it is time someone acted to put a stop to this Roman circus.

Mr. FLOOD. Mr. Chairman, due to the fact that before the Committee is an extremely important appropriations bill for the Department of Education, I shall object to any further requests to speak out of order on any other subject.

#### AMENDMENTS OFFERED BY MR. HATHAWAY

Mr. HATHAWAY. Mr. Chairman, I offer an amendment to the paragraph just read which is a single substitute for several paragraphs of the bill dealing with the Office of Education and I hereby give notice that if the amendment is agreed to, I will make motions to strike out the paragraphs appearing as follows:

The paragraph on page 2 beginning with line 19 down through line 15 on page 3;

The paragraph on page 3 beginning with line 16 down through line 19;

The paragraph beginning on page 3, line 20, extending down through line 8 on page 4;

The paragraph on page 4 beginning with line 9 and extending down through line 4 on page 5;

The paragraph beginning on page 5, line 5 down through line 24;

The paragraph on page 6 beginning with line 1 down through line 6;

The paragraph on page 6 beginning with line 7 down through line 15;

The paragraph beginning on page 6 beginning with line 16 down through line 19;

The paragraph on page 6 beginning with line 20, extending down through line 8 on page 7; and

The paragraph beginning on page 7, line 9 and extending down through line 17.

The Clerk read as follows:

Amendment offered by Mr. HATHAWAY: On page 2, strike out lines 2 through 18 and sub-

stitute in lieu thereof the following paragraph:

#### "TITLE I—OFFICE OF EDUCATION

"For carrying out, to the extent not otherwise provided, title I (\$1,650,000,000), title II (\$90,000,000), title III (\$158,393,000), title V-A (\$33,000,000), title V-B, C (\$7,000,000), title VII, and section 807 of the Elementary and Secondary Education Act, section 402 of the General Education Provisions Act, and title III-A of the National Defense Education Act of 1958 (\$50,000,000), \$2,030,218,000. For carrying out title I of the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and the Act of September 23, 1950 as amended (20 U.S.C., ch. 19), \$683,316,000, of which \$668,316,000, including \$37,650,000 for amounts payable under section 6, shall be for the maintenance and operation of schools as authorized by said title I of the Act of September 30, 1950, as amended, and \$15,000,000 which shall remain available until expended, shall be for providing school facilities as authorized by said Act of September 23, 1950; for carrying out section 303(1) (C) as of said Act of September 30, 1950, as authorized in section 5(c) of said Act for making payments attributable to the number of children who resided on, or resided with a parent employed on, property which is a part of a low rent housing project, \$75,000,000. For carrying out, to the extent not otherwise provided, the Education of the Handicapped Act, and section 402 of the General Education Provisions Act, \$120,000,000. For carrying out, to the extent not otherwise provided, section 102(b) (\$30,000,000), section 102(c) (\$4,500,000), parts B and C (\$429,162,000), D, F (\$24,000,000), G (\$19,500,000), H (\$7,500,000), and I of the Vocational Education Act of 1963, as amended (20 U.S.C. 1241-1391), the Adult Education Act of 1966 (20 U.S.C., ch. 30) (\$90,000,000), the Cooperative Research Act, and section 402 of the General Education Provisions Act, \$643,862,000, including \$16,000,000 for exemplary programs under part D of said 1963 Act. For carrying out, to the extent not otherwise provided, titles I, III, IV (except part F), part E of title V and title VI of the Higher Education Act of 1965, as amended, section 105 (b), section 306, titles I and IV of the Higher Education Facilities Act of 1963, as amended, titles II, IV, and VI of the National Defense Education Act of 1958, as amended, section 22 of the Act of June 29, 1935 (7 U.S.C. 329), the Emergency Insured Student Loan Act of 1969, sections 402 and 411 of the General Education Provisions Act, and section 102(b) (6) of the Mutual Education and Cultural Exchange Act of 1961, \$1,426,431,000, of which \$1,054,400,000 shall be for student assistance programs: *Provided*, That the following amounts shall remain available until June 30, 1973: \$165,300,000 for educational opportunity grants and amounts reallocated for grants for college work study programs: *Provided further*, That the following amounts shall remain available until expended: \$196,600,000 for the student loan insurance programs and \$29,010,000 for interest payments for subsidized construction loans and provided further that \$91,000,000 shall be available for section 101 and \$6,000,000 shall be available for section 105(b) of the Higher Education Facilities Act of 1963, as amended. For carrying out, to the extent not otherwise provided, section 504 and parts B (\$7,000,000 for subpart 2), C, D, and F of the Education Professions Development Act (title V of the Higher Education Act of 1965), and section 402 of the General Education Provisions Act, \$143,800,000. For carrying out, to the extent not otherwise provided, titles I (\$51,428,000), II, and III (\$2,281,000) of the Library Services and Construction Act (20 U.S.C. ch. 16); title II (except sections 224 and 231) of the Higher Education Act of 1965 (20 U.S.C. 1021-1033, 1041), section 402 of the General Education

Provisions Act and part IV of title III of the Communications Act of 1934 (47 U.S.C. 390-395), \$98,409,000, of which \$10,000,000, to remain available through June 30, 1973, shall be for grants for public library construction under title II of the Library Services and Construction Act, and \$11,000,000 shall be for educational broadcasting facilities and shall remain available until expended. For carrying out, to the extent not otherwise provided, the Cooperative Research Act (except section 4), the Drug Abuse Education Act of 1970, the Environmental Education Act, and sections 402 and 412 of the General Education Provisions Act, \$108,500,000. For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for necessary expenses of the Office of Education, as authorized by law, \$3,000,000, to remain available until expended: *Provided*, That this appropriation shall be available, in addition to other appropriations to such office, for payments in the foregoing currencies. For the necessary expenses of the Office of Education, not otherwise provided, including rental of conference rooms in the District of Columbia; \$47,700,000. The Secretary is hereby authorized to make such expenditures, within the limits of funds available in the Higher Education Facilities Loan Fund, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitation as provided by section 104 of the Government Corporation Control Act (31 U.S.C. 849) as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such fund: *Provided*, That loans may be made during the current fiscal year from the fund to the extent that amounts are available from commitments withdrawn prior to July 1, 1972, by the Commissioner of Education. For the payment of such insufficiencies as may be required by the trustee on account of outstanding beneficial interests or participations in assets of the Office of Education authorized by the Department of Health, Education, and Welfare Appropriation Act, 1968, to be issued pursuant to section 302(c) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1717(c)), \$2,961,000, to remain available until expended."

Mr. HATHAWAY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Maine?

There was no objection.

#### PARLIAMENTARY INQUIRY

Mr. MICHEL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MICHEL. Mr. Chairman, the gentleman from Maine has offered an amendment in the form of a package to a number of paragraphs of the bill. The amendment itself is subject to amendment, is it not?

The CHAIRMAN. The gentleman is correct.

Mr. MICHEL. Mr. Chairman, further than that, the first vote that would come, conceding that there would be no amendments to the gentleman's amendment, if his amendment as offered, the package form, is defeated, then is it not in order for us to read the bill from the beginning paragraph through in orderly fashion and subject to amendment by paragraph?

The CHAIRMAN. The gentleman is correct.

Mr. MICHEL. I thank the chairman.

Mr. HATHAWAY. Mr. Chairman, the amendment was not read completely, but the various programs that the amendment purports to increase in funding have been printed in the CONGRESSIONAL RECORD for yesterday and the day before, so the Members have had an opportunity, I believe, to go over the various items that this amendment would increase. There are actually 26 separate programs that would receive increased funding. The total amount of the amendment is \$728.9 million. The programs run from the Elementary and Secondary Education Act to the Higher Education Act, vocational education, library services, and research.

In my opinion and in the opinion of those who are supporting this amendment, this is a minimal addition to the recommendations made by the Appropriations Committee. I do not mean to diminish in any way the efforts that the subcommittee has gone through in trying to bring to the floor an appropriation bill that would be acceptable to the whole House, but I think that in this day and age we can expect with a shift in our priorities that requests for increases in the amount of education are going to be forthcoming regardless of what the committee's decision has been in the matter.

I know that many Members are thinking immediately that if we raise the appropriation by \$728 million, this is going to put the budget out of whack; we are going to go over the budget recommendation of the President. As far as the budget is concerned, the administration's recommendation with respect to education is \$6.1 billion. Even with this increase, we are still going to be \$800 million under that total recommendation made by the administration of \$6.1 billion.

I know some Members are going to point out immediately that part of the \$6.1 billion is for programs not authorized as yet, such as the desegregation program and such as \$400 million for higher education. But nevertheless, as far as budgetary considerations are concerned, as far as increasing the deficit beyond what the President himself has said we have to have this year, this amendment will not do that.

What will happen later on if—and only if—these programs the President would like to have authorized are authorized, remains yet to be seen. Some of these programs might not be authorized until the latter part of this year, at which time it would not be proper to appropriate the full amount the administration has requested, or the programs may not be authorized at all. So I say to the Members the amount of this increase is within the administration request.

I stated that we are asking for a minimal amount. I think it is. If we consider percentages, we will see that the United States as a percentage of gross national product contributes much less than many other civilized nations of the world to education—including Italy, Sweden, and Switzerland, for example, who contribute much more of their gross

national product toward education than the United States does.

If we compare the amount of money we are asking for in the appropriation bill as amended by this amendment, we are still far below the amount that we are authorized by this Congress for elementary and secondary education, for example, with 57 percent still below the authorization even after this amendment passes. And in many other programs we are as much as 73 percent behind, and an average of at least 50 percent behind the amounts that this Congress considered was the correct amount that should be appropriated for education.

Let us look at what this addition or what all the money we are pouring into education really means. I think the money we place in education is probably the best investment we could make in the United States of America.

We have tangible evidence of this. After World War II, for example, the Federal Government expended \$12 billion for the education of GI's returning from that war. As a result of this investment of \$12 billion the Federal Treasury has received back over the years to date \$100 billion. That is a tremendous investment, to invest \$12 billion and to get \$100 billion back as a result of the increased taxes the GI's were able to pay by furthering their education.

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

(On request of Mr. PERKINS, and by unanimous consent, Mr. HATHAWAY was allowed to proceed for 5 additional minutes.)

Mr. HATHAWAY. I thank the gentleman.

Furthermore, to point out what a good investment it is to pour money into education, the reason we have extensive welfare programs, at least one of the reasons—the reason we have to have a Job Corps, the reason we have to pay out a lot of money in unemployment benefits is that we have been unwilling in the past to pour money into education, especially in the lower grade levels.

The President is now asking for a revenue sharing program under the terms of which he would send money back to the States with no strings attached. I submit that we can do a great service to the cities, towns, and States throughout the United States by increasing the amount of money we are going to send them for education, because in almost every budget of every city and town throughout this country the education percentage of the budget is over 50 percent.

The last point I want to make is that an investment in education is really not only an investment that is going to pay off in dollars and cents in this country but also an investment that is going to pay off in ideas. This country has become a great country because we have had the ideas to make progress. But we still have a great many problems in this country. Rivers are still polluted. The air is still polluted. The cities are still crowded. We still have 30 million poor people in the country. We have some people who are not getting enough to eat. We have a lot

of problems, such as mass transit, that can only be cured by ideas.

The best investment we could make to get these ideas is to pour more money into education so that we can fertilize the ideas now lying in the heads of our youth throughout the country so that in the next few years they will be able to blossom forth to make contributions to make this Nation even greater than it is today.

Mr. SMITH of Iowa. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I have been one who has supported a substantial increase in the Federal support for the educational system of this country. But I want results, not just to play politics with this bill.

I want to review just a little bit of history with you. Let us take a look at the 1970 appropriations.

We had on the floor that year what was called the Joelson amendment. That bill was out about this time of the year. It was about 1 year later when the school districts got their money.

Mr. FLOOD. Mr. Chairman, I should like to point out that the gentleman now in the well is a member of this subcommittee. I would suggest that the members listen with good attention to him. I consider him one of the best informed men in this House on this subject.

Mr. SMITH of Iowa. Not only was it about a year later before they got their money, because the package was too visible, was too exposed and permitted the President to veto the bill with enough support to have his veto sustained, but in addition to that in the end some of these programs actually got less money than was in the original bill brought out on the floor a year earlier.

For example, vocational education work study ended up with \$5.75 million less money than we had in the original bill when it came to the floor. There was \$5.25 million less for library community services and college library services were reduced about \$5.25 million. There is a whole list of items that got less money after that year of controversy than they had in the original bill that we reported to the floor.

I believe it is not right for the school districts to wait around and get jockeyed around like that and then have to pay in the end. Last year, we separated the education bill from the rest of the HEW and Labor bills and came to the floor early. We started working on it early in the year, and we came out, just like we did this year, with an early bill so that the school districts could get their money early. We have been told by the schools that they would rather have their money early so that they could use it more effectively than if they have to wait until a later time and get an extra \$1 for each pupil.

Now, that worked out pretty well last year. We had an increase of something like \$600 million, over the bill that we had in the previous year, but we did it in such a way that they got their money early and it was not so visible and with not so much controversy. It was handled in a way that permitted supporters to barely override a veto.

So this year we started again working on an early bill. We were working on this bill before other committees were even organized. We were working to get this appropriation developed and bring it to the floor as early as possible—even before some programs are authorized. We are bringing it to the floor early again, but I will tell you now that there is no need to do it if the extra time is going to be used up playing politics with a big package item which is so big that it is almost guaranteed of a veto and that it will be much later before the final bill is passed. Why do that? If this amendment passes, we might just as well wait next year and put education into a regular bill and bring it in at the regular time months later. There is no need for us to start working on this bill early and bring a bill onto the floor early only to have someone come in with an amendment that is obviously so exposed that it will result in a veto.

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

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

Mr. HATHAWAY. Is the gentleman advocating that we abide by whatever any committee reports to the floor and not offer any amendments?

Mr. SMITH of Iowa. No. I think some amendments would be in order. In fact, I think there are some weak spots in this bill, and there are some amendments to it that I made in the full committee. This bill, I believe, will be amended in the Senate, and I will push for agreeing to some amendments when we are in conference. I would not be against people putting amendments into the bill on the floor and would support some, but to make the amendments so big that they will obviously result in a veto, I do not think serves the purpose of aiding education. In fact, I believe it sets it back and plays politics with an important bill, and that is not in the best interests of the people of the country. I would rather have an amendment that could stand some possibility of being sustained if there is a veto or to have a veto overridden.

Mr. HATHAWAY. Will the gentleman yield further?

Mr. SMITH of Iowa. Yes. I am glad to yield to the gentleman.

Mr. HATHAWAY. Is there a possibility of a veto if we are still within the total budgetary limits?

Mr. SMITH of Iowa. There is no way to arrive at that kind of an answer except to say in advance that Congress will exclude any kind of a possibility of an emergency assistance bill, and I do not think you want to do that.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. SMITH of Iowa was allowed to proceed for 5 additional minutes.)

Mr. SMITH of Iowa. What you are saying in your amendment and with your argument is that you do not want any emergency assistance bill. You do not want any of these other unauthorized programs to be funded when they are authorized, but you want to use all of the money now for the purposes that you have in the amendment.

Mr. HATHAWAY. Will the gentleman yield further?

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

Mr. HATHAWAY. I am saying that we should wait to cross that bridge when we come to it, but we have no idea that we will have an authorization on the books by the end of this calendar year, even.

Mr. SMITH of Iowa. I will say it has been traditional for the Committee on Education and Labor to be about a year late with their authorizations. With that part I have to agree. We get these authorizations, I will say, about a year after they ought to be enacted, and we do not have an adequate chance to plan for them. If some members of that committee, instead of spending so much time in working on these big amendments on appropriations which are assured of a veto, would spend some time working in their own committee on their own work, I think the cause of education would be much better served.

Mr. HATHAWAY. If they are going to be late with it, this addition will probably still be within the budgetary recommendation of the administration.

Mr. SMITH of Iowa. I would assume that we are going to follow the procedure which we did earlier in spite of the fact that there was an additional authorization. We did have emergency assistance appropriations and we did increase these others in a supplemental bill. I would assume that would happen again.

Mr. Chairman, I think the sensible and reasonable way to approach this problem is to come up with a bill that will be signed by the President of the United States. Whether you like it or not, the President can veto it. He got elected in 1968. Some of you did not like that, but it is too late to do anything about it. Some of you who now complain did not do much to oppose his election and he is President. As President, he has a right to veto any bill. We might as well recognize that fact. We are the legislative branch and he is the President representing the executive branch of Government and if a bill is too large, obviously he is going to veto it.

I voted to override two of his prior vetoes last year. One was overridden and one was sustained. The bill for fiscal 1970 was vetoed and the veto sustained.

Now, some want to go back to the approach which did not work and we could not override the veto. As a result, the cause of education was hurt in the end.

I might point out that there is a need for a considerable amount of increases over what the President requested. If you will look at the RECORD at page 9764 you will see a total of \$634 million of increases that we put in this bill in the committee. We are expecting that there will be some more increases in a lot of these items before we get back from the conference. But, this is not a bill without increases. This is not a bill where we did not adjust the President's budget. We went over the budget in detail.

Therefore, I say that to appropriate more money for education the best way to proceed is to make those individual increases that are within the ball park

and where we can hope that if it is vetoed, we will have a chance to override the veto. And then when the bill goes over to the Senate, there no doubt will be some more increases and the bill will come back to the House with appropriate increases.

I want some kind of a package that we can pass here and, if necessary, override a Presidential veto.

Mr. Chairman, I think we need more Federal effort in the field of education. However, I feel that the local people have not been doing the job which they should do. We are getting only about 50 cents of the dollar which is spent on education. There is a lot of reform needed to make these programs more relevant and to prepare our young people for careers for today's competition. However, you are not going to correct that situation merely by appropriating more money, without regard to some reforms in the school districts. Instead of pumping more money into the school districts where they continue to use it under the same old practices and yardstick, we should be trying to develop and educate our children so that they can use the education they are getting to earn a living.

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

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

Mr. CONYERS. I appreciate the gentleman yielding. However, I construe from your remarks that you are predicting that if the Hathaway amendment passes the President will veto this bill.

Mr. SMITH of Iowa. I have no pipeline to the White House, but I do not know how the President could help but veto it if the amendment is added. This is due to record which he has made in the last 2 years when we went over and visibly above the budget, and one of those bills carried an appropriation of about 30 percent less than this budget.

Mr. CONYERS. Mr. Chairman, if the gentleman will yield further, is the gentleman saying that without regard to the merits of the Hathaway amendment, and because the President might veto it, we ought not to support that amendment?

Mr. SMITH of Iowa. I am saying that the way to get the most for education is to pursue those amendments that are reasonable and are needed and are not quite so visible. In other words, support those amendments and go to the Senate not with a bill over \$300 million or \$400 million above the budget, and with the kind of a bill that will attract the attention and the support of the country so we can override a veto if it is vetoed.

Mr. PEYSER. Mr. Chairman, I move to strike the last word, and I rise in opposition to the amendment.

Mr. Chairman, I would like first of all to compliment my colleague, the gentleman from Maine (Mr. HATHAWAY) for introducing this amendment. While I am speaking in opposition to the amendment, I support what is being said in the amendment. I think I ought to clarify this point.

I am very concerned, as has just been expressed, that if the amendment should

be passed by the House we are then going to see a Presidential veto. I think there is little question of this fact. I think because of the problems in education today—and I am a member of the Committee on Education—we would be doing a grave disservice to the educational system to allow this bill to come back into the House because I believe the President's veto would be sustained. I believe we would then see this long procedure of delaying moneys getting into the educational field where they are so gravely needed.

On the other hand, I would like to suggest to my colleague—and I would be very delighted to do this if the gentleman does not feel that he can—that a bill be introduced, in effect his amendment, as a bill for a supplemental appropriation for this education program, upgrading the entire proposed appropriation bill that is now before this House. And I would certainly support it.

I really believe we would be doing a disservice to the cause of education today to try to pass a bill that would represent an increase of nearly \$850 million over the President's proposal.

So it is for this basis that I would suggest this amendment be defeated today.

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

Mr. PEYSER. I yield to the gentleman from Maine.

Mr. HATHAWAY. Mr. Chairman, I appreciate the gentleman's suggestion. I believe that we would probably, however, face the same situation if we had a supplemental covering the same amount of money because those who oppose it for budgetary or for other reasons would still oppose it then.

If the gentleman is really in favor of additional money, which I think he is, I would think this would be the opportune time to support this amendment. It is only a guess that the President will veto the whole educational bill. We are still under the total budget, \$6.1 billion, by some \$800 million. It is only contingent upon authorizing these additional programs and fully funding them that we would be over the \$6.1 billion.

Mr. PEYSER. Mr. Chairman, I would disagree with the assumption Mr. Hathaway makes. I think, based on the past situations, the President would veto the bill.

I think if we are seriously interested in getting money on time into the educational system that we ought to enact the committee bill, and then go for a bill encompassing the gentleman's amendment, and work for it. Then if we can pass the increase, fine. If not, we would not be hurting anybody. But the way he is suggesting, I am sure that the entire educational program would be hurt.

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

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

Mr. CAREY of New York. Mr. Chairman, would my colleague from New York disagree that the speediest way to get money into education is in writing the bill that is before us right now, because there is no assurance we are going to get a supplemental of any size except an in-

crease in welfare expenditures which is due for next June?

I hope my colleague does not think that if a supplemental appropriation bill is going to be introduced, and should go to this effect, that this is going to bring it out in time before you can get action on this bill in this House, action in the Senate, a veto, and then an override; that this would not take as long as it would take to get justification and hearings on a supplemental.

Let me also say that one of the cardinal principles I stand for is local and State control of education, and I want to be guided by what is good for the educational system for the State of New York. Financial disaster has been predicted by most of the educational authorities in our State. For instance, I have before me a telegram from the commissioner of education of the State of New York, Ewald B. Nyquist, in which he pleads for a vote today in favor of the Hathaway amendment.

So I think we should leave it up to New York as to what is right for New York. You and I should get together and vote for the Hathaway amendment, and if the President vetoes it, then in behalf of our schoolchildren vote to override the veto.

Then if we want a supplemental later on to deal with it.

Mr. PEYSER. Let me say to the gentleman, I am concerned with the children of New York and the children all over this country and I want them to have the money and a good program at the start of the school year in September so that the planning and the work can be done, in order that the taxpayer and the children can get full value for the money spent.

I believe that some of us are trying to play a political game at a time when it is going to hurt education everywhere.

Let us get this appropriation bill passed so the needed money will be there at the beginning of this school year. Then we will work for the additional sums that are needed.

Mr. CAREY of New York. Mr. Chairman, I rise in support of the Hathaway amendment.

Mr. Chairman, I want to commend my colleague, the gentleman from Maine (Mr. HATHAWAY) who has given long, zealous, and diligent service to children by the expansion of education over several years in the authorizing Committee on Education and Labor. He has seen how often we had an authorization bill up and had to listen as those in the States and localities who supervise our educational system came to the doors of the committee and pleaded for money. Every time we cut back our education budgets, we fail to live up to our authorization responsibility and the children suffer and the institutions suffer and we wind up paying out the money in delinquency and lack of education through the welfare system. There have been a wealth of authorization bills that passed this House to authorize money for education which this House stood for over the past years since 1965, but we have reneged on appropriations to match our authorizations.

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

Mr. CAREY of New York. I yield to my colleague, the gentleman from New York.

Mr. BIAGGI. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Maine (Mr. HATHAWAY) increasing appropriations under the education bill by \$728.6 million.

The President has consistently chosen to deemphasize Federal support for educational programs, having vetoed two education bills in the past. He has already threatened to veto this one. It appears that the committee has chosen to go along with this Presidential form of blackmail.

The bill before us today would appropriate \$4.77 billion for the Office of Education and related agencies. This is \$101 million more than the President requested, but it is 65 percent or \$8.8 billion under what Congress has already authorized for education programs. The Hathaway amendment would help close this disgraceful gap between congressional promises and payouts.

Our schools are being hard hit by inflation. Financial deficits in the school budgets are the rule rather than the exception. Many districts have been forced to drastically cut back on services.

In New York City just recently, the board of education was faced with letting go over 10,000 teachers and combining classes. They were also considering eliminating bus service and curtailing special educational services that aid the handicapped and the educationally deprived. All this because of a \$40 million deficit.

And what does the administration do? President Nixon has decided that as far as his priorities are concerned it is better to spend money on the SST than in educating our children. He has felt it is better to prolong the war in Southeast Asia rather than to educate a new generation of Americans to the notion of peace.

It is this type of realignment of the priorities of the United States that this body must reject.

I would like to comment on two particular programs in the bill. The first is the bilingual education program. New York City is a major beneficiary of this program along with the State of California. With the many Puerto Ricans and other Spanish-speaking people living in New York, this aid is desperately needed. These people need help in adjusting to their new life in America.

The Congress authorized \$100 million for fiscal year 1972, but the President has only requested \$25 million and the committee recommended \$27 million. This is woefully low. The funding should be at the full level authorized.

Additionally I would like to comment on the aid to handicapped children. It seems that because this group does not protest as loudly as most, Federal assistance to them is quickly passed over when a budget is tightened.

The President felt that helping these children would only require \$110 million. The committee tacked on an extra \$5 million. However Congress has authorized \$436.3 million for fiscal 1972. We cannot continue to put aside the rights of these children to an equal education. Since they require special services to ob-

tain that education, special efforts must be made to help them.

Already in many places what services are provided the handicapped are now being cut back. Full funding of this section would go a long way toward making equal public education available to this special group. Let them have the opportunity open to all other children.

Mr. Chairman, I sincerely hope that my colleagues will adopt the Hathaway amendment and then go on to increase appropriations further for other vital programs. Education is our most important investment. The returns are well worth it. I, for one, will not compromise on this essential issue. It is about time Congress put the money where its promises are.

Mr. BURKE of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. CAREY of New York. I yield to my colleague.

Mr. BURKE of Massachusetts. Mr. Chairman, I rise today in support of Representative HATHAWAY of Maine to add an additional \$728.6 million to the Appropriations Committee's recommendation contained in H.R. 7016, the Office of Education and related agencies appropriation bill for 1972. While going further than the amount requested by the administration for fiscal year 1972, the \$4.77 billion reported out of committee still falls 65 percent short of the amount authorized by Congress for much needed education programs. If this House did not feel the urgency and the need for education programs here and now, then it would never have authorized the programs in the first place. Now we have the responsibility for following through with our commitment to the American people, especially the future generations of this country, and coming up with the funds necessary to put the programs into effect. The administration's penny-pinching approach to education has already been rejected by Congress, both in fiscal year 1970 and again in fiscal year 1971, so we should have no trouble once again rejecting this approach as entirely inappropriate for the times and the seriousness of the educational needs of this Nation. The temper of the House was clear for all to see last Congress when the House went so far as to override the Presidential veto of the education appropriation for fiscal year 1971.

I am particularly disturbed that the bill as reported out of committee short-changes the elementary and secondary school needs of this country. Even though the recommendation surpasses the administration's request, it falls below the fiscal 1971 level. Expenditures in 1972 should not be any less than those in 1971 in view of the easily predictable impact of the continued inflation on costs and the added expenses associated with increased enrollment.

I am also particularly interested in the recommended increase in funding for ESEA title III. We must recognize the increased costs that have occurred under this deserving program simply because of inflationary pressures. To follow the committee's recommendation and merely repeat the amount which was spent in fiscal year 1971 would be in effect to cut back on this program. I have had op-

portunity to observe firsthand the excellent work being done in the Commonwealth of Massachusetts and particularly in my district under this title. The excellent contribution being made by the dedicated individuals that I have met in this program should be rewarded by increasing the funds available for these worthwhile projects and not repudiating their efforts by cutting back or standing still—which is the same thing in this case. As a matter of fact, the Governor of the Commonwealth has recognized the importance of creative education under title III to the extent that the 2-week period April 11 through 24 has been declared by proclamation "Creative Education Through Title III Weeks." As a Congressman, I am observing these weeks in the best way possible by urging today fellow Members of this House to follow me in voting for the increased funding provided for by the Hathaway amendment.

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

Mr. CAREY of New York. I yield to the gentleman.

Mr. EILBERG. Mr. Chairman, the schools and the colleges of our Nation are in serious financial trouble. You have only to read the newspapers in almost any part of the country to discover this fact. Story after story tells how the elementary and secondary schools are retrenching—laying off teachers, increasing class sizes, abandoning special services, dropping new ideas—all for lack of sufficient money. And the stories tell how colleges—big, little, public, and private—are experiencing growing deficits.

Inflation in recent years has hit everyone hard. But the effects on our educational system have been doubly hard. Our schools and colleges, in effect, have had to serve more customers with less money, in terms of preinflationary dollars. Furthermore, inflation has hit the educational system at a time when the public is demanding more of it, in terms of such things as compensatory services for disadvantaged inner city children and financial aid to enable needy students to attend college.

These are the reasons why I support the Hathaway amendment, which would help our schools and colleges keep pace with the rise in the cost of living. The costs of wages, food, military hardware, medical care, insurance and practically everything else you can think of all have gone up. Is it not reasonable that the cost of education should likewise rise?

If you read the material submitted in justification of the Hathaway amendment you will see that funds for many programs are increased over the administration's budget solely to compensate for inflation. These increases merely keep the programs operating at the same level as before. In a few other instances, the increases are needed to cover the costs of changing conditions.

As an example of the need for the increases in the Hathaway amendment, I should like to address myself to the item providing some \$90 million in grants for the construction of college classrooms, laboratories, and libraries. Since 1965 1½ million additional students have enrolled

in our colleges and universities. Funds provided in the past under the Higher Education Facilities Act of 1963 enabled the colleges to construct the buildings necessary to accommodate these additional students. According to even the most conservative estimates, several million more new students will be seeking admission to college by 1980. For the second consecutive year, the administration's budget asks nothing whatsoever in funds for classroom construction grants. The Hathaway amendment will make a beginning—admittedly small—to rectify this lack of foresight.

Just as it takes time to build a house, it takes time to build classrooms. It has been estimated that the least time required for the planning and construction of an academic teaching building is 3 years. Let us, then, use some foresight so that there will be space available in our colleges and universities for the additional students of the not-too-distant future. What we do today, will become apparent in about 1974. If we have missed the boat, it will be too late then to board it, and we may have to explain why we were so tardy.

In the nicest of all possible worlds we might be able to rely solely on subsidized loans to build classrooms as the administration budget envisions. But loans must be repaid by someone, and that someone, obviously, is the student of today or tomorrow. If students must help repay construction loans, this can only mean a further escalation in their cost of attending college and may price many of our young people out of a college education.

I urge you today to support the Hathaway amendment which provides a modest amount indeed for academic facilities grants. While this amount is inadequate to meet the needs, it is double the token amounts Congress has appropriated in the last 2 years, and it is a large improvement over the zero figure in the administration's budget.

At this point in time, it would be well to remember the maxim about too little and too late. We have already been too little. We cannot afford, from now on, to be too late.

Mr. CAREY of New York. Mr. Chairman, I would like to go back to what was said by my distinguished colleague, the gentleman from New York, that if you want to serve education to get this bill out of the way at a figure that is unrealistic with regard to the needs of education and then protect the President and his budget because we fear his veto.

Let me remind this body and this committee today that we went over this ground last year. The President did veto our bill and a hue and cry occurred all over the country that this veto should be overridden and we overrode it. I think the country gave us a mandate last year. They said that by supporting our override, we want more money in education and we want the money now. The President is bound by that mandate and we are bound by that mandate. If it was wisdom last year to come in with realistic figures, then it is wisdom this year to do so because the children are still suffering for lack of facilities, overcrowding

double sessions; and States and localities are simply unable to cope with school needs particularly in the rural areas and inner cities. We have not made the progress in education that this country deserves and the only way to catch up is to act now and pass the Hathaway amendment.

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

The CHAIRMAN. The Chair will count.

Ninety-four 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. 51]

|                 |               |                |
|-----------------|---------------|----------------|
| Alexander       | Garmatz       | Macdonald,     |
| Anderson, Ill.  | Gray          | Mass.          |
| Ashley          | Green, Oreg.  | Matsunaga      |
| Brown, Mich.    | Green, Pa.    | Murphy, Ill.   |
| Broyhill, Va.   | Griffiths     | O'Neill        |
| Carney          | Grover        | Pickle         |
| Celler          | Haley         | Pryor, Ark.    |
| Clark           | Halpern       | Rallsback      |
| Clay            | Hanna         | Rangel         |
| Collins, Ill.   | Hansen, Idaho | Roe            |
| Colmer          | Hansen, Wash. | Rosenthal      |
| Delaney         | Harvey        | Selberling     |
| Dingell         | Hébert        | Shibley        |
| Downing         | Hicks, Mass.  | Sikes          |
| Dwyer           | Jones, Ala.   | Skubitz        |
| Edwards, Calif. | Jones, Tenn.  | Steele         |
| Edwards, La.    | Kastenmeyer   | Steiger, Ariz. |
| Esch            | Long, La.     | Thompson, N.J. |
| Fascell         | Long, Md.     | Waggonner      |
| Flynt           | McCloskey     | Waldie         |
| Foley           | McClure       | Wilson, Bob    |
| Fraser          | McCulloch     | Wright         |
| Gallagher       | McKay         | Yatron         |

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HOLIFIELD, 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. 7016, and finding itself without a quorum, he had directed the roll to be called, when 364 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 Committee will rise informally in order that the House may receive a message.

The Speaker resumed the chair. The SPEAKER. The Chair will receive a message.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Leonard, one of his secretaries.

OFFICE OF EDUCATION AND RELATED AGENCIES APPROPRIATIONS, 1972

The Committee resumed its sitting. The CHAIRMAN. When the Committee rose, the gentleman from New York (Mr. CAREY) had been recognized and had consumed 3 minutes and has 2 minutes remaining.

Mr. CAREY of New York. Mr. Chairman, I yield back the balance of my time.

Mr. ANDREWS of Alabama. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman, as one who has always supported school authorization legislation and appropriations, I rise in opposition to this amendment.

I want to say to the school people of America that they have no greater friend than the distinguished gentleman who chairs this subcommittee of the Committee on Appropriations, the gentleman from Pennsylvania (Mr. Flood), and the other members of that subcommittee are equally friendly to the education people of this country.

Now they bring you a bill here totaling \$4,700,000,000.

I say, Mr. Chairman, that had this subcommittee brought out a bill providing for \$7 billion, one of these big package amendments would have been offered. In my opinion, the people who promote these huge package amendments do a disservice to the educational institutions of this Nation. This is like mother's love.

You remember a few years ago we had one called the Joelson amendment, and it completely disrupted the educational funding processes of that year.

We have got to think, whether we want to or not—and this applies to the educational people of the country—about the sad financial condition of this country today. I have spoken several times on the floor about that condition. I do not want to be a prophet of gloom and doom about the financial condition of this country, but the truth of the matter is the Nation is broke, and if you and I occupied a comparable position as does the Federal Government, we would have long since been in a bankruptcy court. It is projected that this fiscal year's Federal funds deficit will be \$25 billion. Next year it will be more than that.

Did you know that the second biggest item of expense in our appropriation bills is for the interest on the national debt? And it is rising at such a rapid rate that it is conceivable that within a few years it will take the entire Federal income just to pay the interest on the national debt.

In 1961 the interest on the national debt was \$8.1 billion. For this fiscal year it is \$20.8 billion. Projected for next year, just the interest on the national debt is \$21.150 billion.

I had the clerk of our committee figure it out, and he calculated that amount figures to \$39,600 a minute, or \$400 million a week—just for interest on the national debt.

With a situation like that confronting this Nation it is time for all groups—all groups, including the educational group—to tighten belts.

This bill would by no stretch of the imagination hurt the schools of this Nation. It would provide \$300 million above the budget, according to the chairman of the subcommittee. It provides \$251 million-plus above last year's appropriation. So for the life of me I cannot see why this Congress should be stampered by telegrams, letters, and telephone calls into adopting an amendment which would add roughly \$800 million to the bill.

Mr. CEDERBERG. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Michigan is recognized.

Mr. CEDERBERG. Mr. Chairman, I take this time, and I yield to no one in my concern for education. But I think it is an affront to this subcommittee, chaired by the very able gentleman from Pennsylvania (Mr. Flood) who spent months in the hearings, and bringing out a bill, a bill that increases by a couple of hundred million dollars the amount provided in last year's bill, to be confronted with an amendment which would increase that amount \$728 million.

This would mean if it were adopted, there would be close to a billion dollar increase over last year. I think the time has come when we are going to have to practice a little fiscal responsibility here in the Congress.

Oh, I know that those of us who are going to oppose this amendment are going to be branded as being against education. It just is not true. Who is going to say the gentleman from Pennsylvania, the chairman of this subcommittee is not just as much interested in education and proper education of our young people as the gentleman from Maine who offered the amendment is—who is also my good friend.

But after this committee has labored long and held hearings and listened to everybody and taken into consideration the needs of the country, not only for education but also for maintenance of some kind of fiscal sanity, and the committee has come up with a good bill which I will support, I would hope all the Members of this body will not fall prey to the idea that every time we have an education bill—because they always come back with substantial increases over the year before—we have to face requests for more increases.

I do not know how these men have come up with the \$728 million. They probably held a 3-day hearing in some hotel in Washington and came up with this amendment after the committee has worked for 3 months trying to come up with a bill which they believe is in the best interests of the students of this country.

Mr. CASEY of Texas. Mr. Chairman, will the gentleman yield?

Mr. CEDERBERG. I yield to the gentleman from Texas.

Mr. CASEY of Texas. As the chairman of our subcommittee claims that he has some fairly good spies, I also have one or two spies who are fairly accurate. I understand this amendment was cooked up last Sunday, in one afternoon.

Mr. CEDERBERG. Mr. Chairman, I believe it is quite a sad commentary really on the educational lobby of this country to have this amendment offered at this time. I have a great respect for the educators in my district. They are great and honorable men. I understand the problems they are faced with in getting money at the local and State levels. But here we have a subcommittee which has brought in a bill with an increase over last year of \$200 or \$300 million, and I do not think we can intelligently expect to go much beyond that. I am going to support the subcommittee bill because I have a great respect for the integrity

of the members of the subcommittee on both sides of the aisle. They know their subject matter and they have studied the issue, and they have listened to the experts.

I would love to spend more money for education, just as we would all love to spend money for many things, but there comes a time when we have to practice a little fiscal responsibility.

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

Mr. CEDERBERG. I yield to my very good friend, the gentleman from Maine.

Mr. HATHAWAY. Mr. Chairman, I concur with the gentleman from Michigan that the committee has spent a great deal of time in hearings on this matter, but I think the gentleman also has to recognize that we have spent a great deal of time listening to those in our district on this. The educators have been thinking for a long time about just how much money is needed on this program, and we have been listening to the educators in our districts.

Mr. CEDERBERG. I have listened also to the educators in my district, and I think they agree that if there is one thing we need more than anything else, it is that we need educational reform. We need this reform, as well as we need more money so educators can use the funds to better advantage. We are getting a \$200 million increase. We are getting that much more money. I think that is a pretty good increase over last year.

Mr. HATHAWAY. If the gentleman will yield further, I could not agree more that we need reform in the authorizing programs, but this is not the time and the place to do that. This is the time and the place to spend more money for funding those programs authorized.

Mr. CEDERBERG. The gentleman is a new member of our committee. He offered no such amendment to increase the amount of money in this bill in the full committee and all of a sudden now there is the Hathaway amendment.

It is my conviction this bill with its substantial increase will have a progressive impact on Federal participation in education and deserves the support of the Members of this body.

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

Mr. Chairman, I should like to look at this amendment in a kind of a broad way for the purpose of reaching a logical conclusion as to what we should do about the proposed amendment, which would increase the magnitude of the bill by about three-quarters of a billion dollars.

The budget in brief, which I have in my hand, estimates that in 1972, for elementary and secondary education, higher education, manpower training and so forth, if we appropriate within the President's budget we will spend some \$8 billion. That is for the whole package. Today we are considering only a portion of the whole education and manpower program, some \$4.8 billion. For the items in the bill, the total is an increase above the appropriations for fiscal 1971 of nearly \$300 million.

Now, it is impossible to appropriate all the money that one might want for health or for the environment or for edu-

cation, because we do not have the money and we are not increasing taxes in an effort to raise it.

A short time ago—in fact, last month—the President asked us to increase the debt ceiling to \$435 billion. But no, we said we wanted to hold down spending as much as we reasonably could, so in that bill we cut the President's request for raising the debt ceiling by \$5 billion. In the discussion on that bill last month the very able chairman of the Ways and Means Committee made this statement:

I want to emphasize that the new debt ceiling is not generous. We have been most careful to keep the increase in the debt limit as small as possible to avoid encouraging any increase in spending.

Well, the reason, no doubt, for this action by the Ways and Means Committee was that the Ways and Means Committee recognizes, as I believe all of us do, we are in a very precarious situation. No one speaking against this amendment wants to be characterized as being unfriendly to education. We have demonstrated our friendship to education many times. But we have to be realistic and fair.

Here, we are being asked to increase this bill above the budget by three-quarters of a billion dollars, and above the committee bill which is already above the budget.

According to the best recent estimates of the Treasury and of the Director of the Office of Management and Budget, in Federal funds we will go in the red this year by about \$25 billion. In other words, the President's latest budget says that the debt will be increased this year—that is, for the current fiscal year—by \$25 billion. It is estimated in the President's latest budget that the debt will be increased in the next fiscal year by about \$23 billion, if the recommendations and estimates in the budget itself are in all respects carried out—a budget which in some respects is generous and in some respects not so generous.

At any rate, here we are, without the money in hand or in sight, debating, after cutting down on the requested debt ceiling, whether or not we should increase this bill by three-quarters of a billion dollars. To me it utterly makes no sense at all to take this approach to the problem which is confronting us.

If we want to raise additional revenue—if the country will stand for raising sufficient additional revenue—then those of us who are opposing this amendment would be glad to support additional funds for education. But we do not have the additional funds, and the more we appropriate and go in the red, as we are in Federal funds estimated to do this year to the tune of some \$25 billion, the more we generate inflation and the more precarious our fiscal situation becomes and the less the dollar is worth.

The Committee on Appropriations, made up of 55 members, considered this bill. We have a subcommittee that held the hearings.

However, the committee itself has 55 members and practically all of them were present at the time the bill was reported, and the committee took the position that this was reasonable under the circum-

stances. It seems to me that it would be good if the House could vote for the bill as reported by the committee.

Mr. Chairman, I rise to plead with the Members of the House to support the program and the bill as it was presented to you by the Committee on Appropriations.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. MAHON was allowed to proceed for 3 additional minutes.)

Mr. MAHON. The President submitted a so-called full employment budget for fiscal 1972 on January 29. He estimated that the budget in Federal funds would be \$23 billion in the red for fiscal 1971-72 but he said, according to the full employment budget, it would be in the black by about \$100 million. That was the tentative estimate of the President.

Well, here we are going seven times above that. We have taken actions in the field of social security and otherwise that will take us far above the \$100 million and put the Federal Government far in the red even under the full employment budget.

While the Federal funds deficit next year is estimated to be \$23 billion by the administration, I have no doubt that the Federal funds deficit for next year will be nearer to \$30 billion than to \$23 billion.

I say to you that when you deal recklessly with the taxpayers' money and with the fiscal affairs of this country we are tending to pull down the house on education and on our other institutions and are making it impossible for our schools to operate effectively, because it is obvious if inflation continues at the current rate, it will be impossible to get all of the funds from Federal sources or otherwise to operate them.

If there is a specific amendment for a specific program that some Members feel they must vote for, that is one thing. But let us vote down the Hathaway amendment, this ill-considered collection of amendments, and then, as we read the bill in the normal way, let us resist the opportunity of voting for any amendment which may be offered.

Mr. GERALD R. FORD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I had originally intended to speak later in the debate, but a major part of the remarks that I will make at this point fit within the context of the remarks just made by the distinguished chairman of the Committee on Appropriations.

However, before pointing out some other aspects of the basic problem raised by the gentleman from Texas, I would like to compliment the gentleman from Iowa (Mr. SMITH), on what he said a few moments ago.

I believe he pointed out the practicality of the situation we face. Universally educators in this country condemn any unfortunate delay in the enactment of this appropriation bill for education at the Federal level. Every educator with whom I have talked tells me that the major thing they want to know as far as Federal funds are concerned is how much

will be available as soon as possible so they can plan on the availability of Federal funds early enough to know what their responsibilities are at the local and at the State level.

We have had several most unfortunate experiences in the last few years where there has been regrettable delay in the Congress making available its Federal contribution to local school districts in the area of education.

I hope and trust that we do not go down that blind path and dead-end street again in 1971.

In January of this year the President submitted to the Congress a budget for fiscal year 1972. He forecast that if the budget were approved without change there would be an estimated deficit of approximately \$11.5 billion. It was categorized as a full employment budget, one that would be helpful in improving the economic environment of our country. It is a Federal budget aimed at reducing unemployment and increasing employment and at the same time continuing the effort to win the battle against inflation.

At this point we ought to take a look at the record as to what this Congress has done thus far in the consideration of the budget for fiscal year 1972. We have had two major bills involving expenditures come before the House in the last several weeks. First, we passed a bill that is now law increasing social security benefits over and above what the President recommended. He recommended a 6-percent increase and the Congress increased it by 10 percent. I support that increase. The added cost in expenditures because of that action was \$1.5 billion a year.

At the same time in the same legislation the Congress did not impose the added taxes in calendar year 1971 with which to pay for those increases in social security benefits. The added costs as far as the budget is concerned by that action is \$2.6 billion. So in that legislation which I personally support, we added to the Federal deficit for fiscal year 1972 about \$4.1 billion.

Is it not a little paradoxical that on the one hand within a short span of several weeks we added to the Federal deficit \$4.1 billion? Then, with the other hand we reduced the manageable leeway in the debt limit by \$5 billion. That contradictory action makes us look a little ridiculous quite frankly, but now let us take a look at the legislation we worked on last week.

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

(By unanimous consent, Mr. GERALD R. FORD was allowed to proceed for 5 additional minutes.)

Mr. GERALD R. FORD. Last week we were considering some very important legislation involving the extension of the selective service law.

The President, in his proposal, suggested that in order to move toward an all-volunteer Army that we add to the pay, allowances and fringe benefits for military personnel by a very substantial amount over the budget during a 2-year span. As I recall, the figure was approximately \$1.7 billion extra.

The House, in its wisdom, decided to compress those two proposals for pay increases from 2 years to 1 year, and the net result was we added in a 12-month period \$1.7 billion in expenditures. I hope that that added financial incentive for people to go into and stay in the military will bring us an all-volunteer military force. I hope that is the case. But I am just pointing out the fiscal impact by what we have done.

So if you take the consequences of the social security legislation and the consequences of the extension of the selective service, this Congress already has added in a 12-month period \$6 billion to the expenditures out of the Federal Treasury which in turn you have to add to the \$11.4 or \$11.5 billion deficit that was forecast in the budget.

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

Mr. GERALD R. FORD. If the gentleman will let me complete my statement I will be delighted to yield to the gentleman.

Again I remind you that just a few weeks ago we said the debt ceiling had to be \$5 billion less than recommended by the President. On the other hand, we have presently in action in this body added \$6 billion through expenditures to the anticipated deficit. That just does not make sense. Let us at least be consistent.

Now we come to the bill before us. There are varying opinions as to what the Committee on Appropriations has done with this bill vis-a-vis the budget recommendations of the President, but I think you can generalize and say that when you add up all the pros and cons and throw out things that are not authorized, and otherwise, this bill probably adds \$250 million to \$300 million over the budget. And now this amendment wants to add another \$728 million, roughly three-quarters of a billion dollars. So if you take the committee's recommendation and this amendment that is on the floor, we in effect are going to add another \$1 billion to the expenditures in a 12-month period, which means that the House in a span of a month is adding roughly \$7 billion more in Federal spending.

And I say again, we told the administration that they could not go up to a higher debt ceiling limit, and they had to operate under one that was \$5 billion less than what they thought was responsible.

How ridiculous. How paradoxical can we be? And who do we think we are kidding?

Now, let me say that I strongly believe, for fiscal reasons and for reasonable reasons, in trying to get Federal funds to educators as quickly as possible, we ought to defeat the amendment offered by the gentleman from Maine (Mr. HATHAWAY) and we ought to unequivocally support the gentleman from Pennsylvania (Mr. FLOOD) and his subcommittee, and the Committee on Appropriations.

Mr. Chairman, I will be glad to yield to the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. Mr. Chairman, I thank the minority leader for yielding.

Do I understand the gentleman to say that he objects to the added \$1.7 billion in the Selective Service Act extension? I did not hear the gentleman complain about that at the time. I believe the gentleman supported that provision.

Today, when we are considering adding \$728 million to an education appropriation, I am wondering why the gentleman points out that we added an unexpected \$1.7 billion in the Selective Service Act. Do I gather from his statement that the gentleman places a much higher priority on additional money for military pay as opposed to adding \$728 million to the educational measure that is currently before us?

Mr. GERALD R. FORD. I will respond to the gentleman from Michigan (Mr. CONYERS) by saying this: I firmly believe in the desirability and the practicality of achieving an all-voluntary military force. But the facts of life are that in order to achieve this result one of the ingredients has to be additional financial incentives to get young people to join the military voluntarily, and stay in the military voluntarily. I believe that is important.

Second, I would add that I think it is important that we maintain a high caliber of people and a greater readiness in our national security forces. I believe the legislation we passed last week is a factor in achieving and maintaining our national security. That was my judgment and that is why I supported that legislation.

This Committee on Appropriations has recommended a substantial amount of money over and above what we are spending this year and over and above what the President recommended.

Mr. Chairman, therefore, I support the committee's action.

Mr. PUCINSKI. Mr. Chairman, I move to strike out the last word and rise in support of the amendment offered by the gentleman from Maine (Mr. HATHAWAY).

Mr. Chairman, it is my high privilege to serve as chairman of the general subcommittee on education. While I have the highest respect for the chairman of the Committee on Appropriations and also for the chairman of the subcommittee, and I agree with the gentleman from Alabama (Mr. ANDREWS) that the educational community of this country does not have a better friend in Congress than our distinguished colleague, the gentleman from Pennsylvania (Mr. FLOOD) and the members of his subcommittee. They have a tough job. There is no question about it. There is just so much that you can get out of this budget—and they have a tough job and I appreciate the difficulty of their assignment.

But, as chairman of the committee that has made extensive studies of the crises facing American education, I believe it is my responsibility to present to this House the grim facts of the educational crisis that faces America.

School districts across the country are facing an unprecedented financial crisis. Two weeks ago New York City barely averted laying off 10,000 teachers. Chicago is still \$58 million short of funds

for the current school year. Los Angeles eliminated 3,500 teachers, shortened the schoolday, dropped interscholastic athletics, and is still finishing in the red.

Even suburban districts are faced with the crushing decision of whether to lay off teachers or to shorten the school year. Brookfield, Ill., for instance, laid off seven teachers, a librarian, and a guidance counselor from its high school. Many suburban Long Island districts have also had to lay off teachers and counselors. Versailles, Youngstown, and many small towns in Ohio have had to actually close down for months because of a lack of funds.

They are faced with disaccreditation—a high school diploma is no guarantee a youngster will get into college if the school loses its accreditation.

Why are we hearing cries of financial disaster—not only from the large cities, but also from many suburban, small town, rural educators? What has happened to our schools?

In seeking answers to these questions, I think that we must keep several facts clearly in mind. The first basic fact is that although we have in recent years greatly increased local and State funding for education, the United States from all levels of government and from all sources of funding is only spending little more than 6 percent of its national income on education. By comparison Canada and Israel are spending 9.6 percent and 9.2 percent respectively on education. In fact, most of the other highly industrialized countries are spending far more than the United States: Denmark, 8.1 percent; Sweden, 7.9 percent; the Netherlands, 7.6 percent, and the U.S.S.R., 7.1 percent.

Furthermore, of the total amount which we are spending on education a disproportionate share is going for higher education. Last year we spent more than \$2,100 on every college student and only \$700 on every elementary and secondary student. Of course, some expenses involved in higher education may be greater, such as dormitories and more sophisticated science laboratories, but an expenditure three times greater per student does not make sense when we consider that less than 20 percent of our children ever attain a college degree.

The final fact which we must bear in mind is that even though costs have greatly increased in recent years, the Federal Government's percentage contribution for elementary and secondary education has actually declined. In fiscal 1968 the Federal Government was paying 8 percent of the costs of elementary and secondary education. This year it is only paying 6.9 percent.

I support the Hathaway amendment because I believe that it will halt this decline and bring the Federal Government to the threshold of a partnership in financing education.

In particular, I enthusiastically support the \$75 million appropriation for the education of children living in federally assisted public housing. Since I was the author of that amendment in 1969 I would like to explain its rationale.

The Federal housing laws now require that low-rent housing constructed with

Federal aid must be tax exempt. In lieu of these taxes a Federal payment is authorized to be made to the local governments. This payment to school districts is now averaging \$11 per child.

Since school districts receive well over half of their revenue from local property taxes and since this amount is averaging \$420 per student this year, we can see the enormous burden created by this minimal Federal payment. After receiving the \$11 per student a school district must find \$409 from other sources to pay for the education of each public housing student. This generally leads to back-breaking property taxes on the small homeowner and to resentment against public housing.

The public housing amendment to the impact aid laws recognizes this burden and treats it like other hardships created by the Federal Government. That amendment authorizes a payment to the local school district of one-half of its locally raised cost of education for every student residing in federally assisted public housing.

Today we are considering the Hathaway amendment which would appropriate \$75 million or one-fourth of the amount authorized by the public housing amendment. In other words, if the House accepts the Hathaway amendment, this \$75 million will only pay for one-eighth of the local cost of educating every public housing child. I support the amendment because I believe that we can do no less than this.

Since the large cities have great numbers of public housing children, they will benefit substantially from this appropriation. Their school systems are undoubtedly the most hard-pressed in the Nation and, therefore, most in need of this direct Federal aid.

But this is not just a big-city program. The Department of Housing and Urban Development estimates that almost 60 percent of the public housing units are in cities and towns with populations of 500,000 or less. Although the plight of these smaller school districts does not receive the national publicity given to the large cities, they are no less burdened by the presence of public housing children.

I would also like to discuss in particular the increase in appropriations for vocational education. First of all, I want to congratulate Chairman Flood and his subcommittee for increasing the appropriation for vocational education \$64 million over last year's appropriation.

Furthermore, I want to commend the subcommittee for providing separate appropriations for the special categories authorized by the Vocational Education Amendments of 1968. The President's budget had requested no funds for these categories; and if that request had been granted, the following programs would have been immensely downgraded: consumer and homemaking education, cooperative education, work-study, innovation, curriculum development, and special programs for the disadvantaged.

Even though the subcommittee has treated vocational education fairly, I would urge the adoption of the Hath-

away amendment because I believe that its increase of \$50 million for vocational education and its further emphasis on these special programs is badly needed. Consumer and homemaking education under the amendment would receive an extra \$3.7 million, work-study an extra \$1.5 million, State advisory councils an extra \$1.8 million, disadvantaged an extra \$15 million, and basic State grants an extra \$29.7 million.

I am calling for this increase because the Federal Government still is not adequately supporting vocational education. The Federal Government spends \$4 on remedial manpower programs for every \$1 we spend on preventive vocational education.

And furthermore, the Federal Government spends \$14 in our universities for every \$1 it spends in vocational schools, even though only 20 percent of our youngsters will ever receive a college degree. The children left behind by this neglect are experiencing the highest unemployment rate of any age group in the country. In March of this year unemployment among all teenagers aged 16 to 19 was 17.8 percent. It was 16 percent for white teenagers and 32.3 percent for black teenagers—black boys 30 percent and black girls 35.3 percent.

So when I say that I support the Hathaway amendment, this is not to be in any way disrespectful of the hard work that the Appropriations Committee has done. I yield to no one in my respect for this committee. They showed excellent judgment when they appropriated more money than was requested for vocational education, because they realize the needs. I think this committee has been very sensitive to the educational needs of America. But I submit to you that the authorizing committees also have a responsibility, and we supported legislation and we brought legislation here based on very extensive hearings on the educational needs of the country, and we authorized certain levels.

We did this on the basis of very extensive studies. The legislation was approved by unanimous votes on both sides of the aisle. Are we now saying that those priorities were wrong? Are we now saying that our authorizing vote was wrong? Are we now saying we did not know what we were doing at the time we authorized the expenditures?

The amendment offered by the gentleman from Maine (Mr. HATHAWAY), if adopted, will still be substantially below the funds you have authorized for education in this country.

Mr. PASSMAN. Mr. Chairman, I rise in opposition to the amendment.

(By unanimous consent, Mr. PASSMAN was allowed to proceed for 3 additional minutes.)

Mr. PASSMAN. Mr. Chairman, it is unusual for me to speak on any money bill other than the one it is my privilege to handle on the floor. We speak about the excessive requests for funds for the educational system. It is not merely in this area that we are overspending; it is in almost every area. We are spending money we do not have for things we do not need trying to be everything to everybody everywhere, on borrowed

money and at the expense of unborn generations.

I am of the opinion if we had some legal way of confiscating all the wealth of America, we would still not have sufficient funds to do all the things labeled desirable by the free spenders.

My educators are no different from yours. My constituents are no different from yours. They speak for home rule and States rights, but still insist on Washington furnishing money and controls.

Some of us must take a positive position. You hear talk about spending money, but you never hear those who advocate excessive spending tell us where we are going to get the money.

I represent 19 parishes—counties in your States—and I have received telegrams just as you have asking me to support these programs. But, it has been my privilege to serve on the Committee on Appropriations 23 of the 25 years I have been here, and I think I know something about what expenditures are. So, I decided I would make a test case out of this. I sent to my superintendents of education the following telegram:

Retel increased educational appropriation. I say forthrightly and without intending to be offensive that the demand is so great for federal funds from every source that we will overspend our revenue this year by 25 billion dollars. It is absolutely impossible to collect sufficient funds from the American taxpayer to fund all programs labeled desirable by the free spenders. We are on the verge of wrecking our economy through inflation and increasing the public debt that must be paid by unborn generations which now exceeds two trillion dollars, when you include statutory and borrowed money obligations. Please support me in my efforts to help keep some semblance of sanity in fiscal affairs, otherwise, unborn generations will detest those who are loading them with an unbearable public debt. I must think of the welfare of the next generation rather than just the outcome of the next election. I cannot support the increase.

Mr. Chairman, let us look at this matter realistically. Since we first set up a bookkeeping system 181 years ago to record the receipts and expenditures of our Federal Government, we have collected from the American people in revenue two trillion, two hundred and sixty billion dollars. But for every dollar we have collected during that 181 years, we have created a Federal obligation of an additional 71 cents against each one of those dollars.

We have actually a public debt of two trillion, 103 billion dollars. Every American baby born this morning as well as every senior citizen who reaches his 100th birthday this evening owes our Government \$8,210.

Mr. Chairman, we are going to wreck the economy of this Nation if we do not start practicing some sanity in the fiscal affairs of our Government. Can Members imagine that in this day of great prosperity, when our revenues are at an all time high, we will overspend our revenues during this fiscal year by 25 billion dollars? This 25 billion dollars takes on value only by deleting the purchasing power of every person's earnings and savings, including life's insurance that people bought to protect their dear ones.

When will we ever come to our senses and exercise sound judgment in the expenditure of our constituents' money? We receive wires from constituents asking us not to support certain expenditures, but maybe during the same week the same constituents will wire us to support funds for some other extravagant program. So, in the eyes of the people collectively, all programs are good. It is time to give some thought to the welfare of future generations rather than just the next election.

Mr. Chairman, we should not only vote down this amendment, but we should also vote down all amendments that call for unnecessary and excessive spending. As I said earlier, we are having to borrow this money because it is in excess of our revenue. I just do not know, Mr. Chairman, how any person could serve on the Committee on Appropriations, study the budget requests, and then possibly support legislation that would continue to increase these outlays beyond our means to pay. I certainly hope we will analyze all appropriation bills and not just this one, because we will be hearing the same arguments to increase every appropriation bill that is brought to the floor of this House. I hope we will vote down this amendment.

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

Mr. PASSMAN. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Chairman, I think the gentleman from Louisiana has made some very persuasive arguments, but will the gentleman help this Member explain to his constituents how we tell the local school districts, when they start shutting down the schools, that we have other priorities besides education?

Mr. PASSMAN. There is a quick, concise and accurate answer, and that is to let the States and counties raise the revenue for their public school systems as they did during the first 175 years of existence of our great country. Federal aid to education, as such, is a new concept. It started in 1965. We have gone too far, too fast.

We must keep in mind that when you ask the Federal Government to raise the funds for your school system, you have to collect the revenues from the same people that the local public officials would collect the revenue from. The political brokerage fee on every dollar in revenue brought to Washington is 29 cents, and the local people who sent the dollar to Washington receive the return of only 71 cents.

There are sources of revenue available in every State, but of course the State public officials had rather come to Washington for money than to muster the courage to raise the funds locally.

I want to urge you Members to do as I do. Tell the people the facts as they are, and they will not only support you, they will applaud you.

In addition to the 25-billion-dollar deficit that we will have for the fiscal year that ends June 30, this year, if we continue increasing all money bills as we are attempting to increase this one, then the Federal deficit for the next fiscal year may reach \$32 to \$33 billion.

Mr. Chairman, finally, if we do not practice some restraint in the wild spending spree that we embarked upon not too long ago, then we are going to create runaway inflation and cause the collapse of our economy and our Government which made our country so great, free, strong, and wealthy so quickly.

Mr. QUIE. Mr. Chairman, I rise in opposition to the Hathaway amendment and I move to strike the requisite number of words.

Mr. Chairman, I want to commend the Committee on Appropriations for the increases in the bill they have brought in. There are some decreases which I disagree with, but I think for the most part the bill before us is good.

Especially I commend the gentleman from Iowa (Mr. SMITH) for laying out to us the dangers of following the argument of voting for a substantial increase in the appropriation with an amendment that can delay the education appropriation bill. This Congress has never provided the education money when the schools needed it. Now the House is trying to send a bill to the other body on April 7, in order to have the time to permit the kind of planning on the part of schools that is necessary.

But let us look at what the committee has recommended. The committee has recommended \$630 million above what the President has requested in certain items. That really has not been said so far today. We have been talking about the need. But there has been a reduction in some portions of the administration request, primarily grants to college students, that the committee did not choose to go along with. Maybe later, when we pass authorizing legislation, the committee would be disposed to provide additional grant money for college students.

The following is a good simple description of the increases and decreases from the President's budget.

*Money already added to President's budget in H.R. 7016<sup>1</sup>*

| INCREASES   |                         |
|---|-------------------------|
|   | Amount<br>(In millions) |
| College student aid:                              |                         |
| NDEA loans.....                                   | +288                    |
| Insured loans.....                                | +37                     |
| Impact aid.....                                   | +137                    |
| Vocational education.....                         | +89                     |
| Libraries (Public and college).....               | +36                     |
| Equipment (NDEA III).....                         | +20                     |
| Educational broadcasting.....                     | +7                      |
| Land-grant college aid.....                       | +5                      |
| Library resources (elementary and secondary)..... | +5                      |
| Education of the handicapped.....                 | +5                      |
| Bilingual education.....                          | +2                      |
| <b>Total .....</b>                                | <b>+630</b>             |

| DECREASES                                     |             |
|---|-------------|
|   |             |
| College student aid:                          |             |
| Amounts associated with proposed legislation: |             |
| Grants and work-study payments.....           | -443        |
| Interest subsidies.....                       | -85         |
| Salaries and expenses.....                    | -1          |
| <b>Total .....</b>                            | <b>-529</b> |
| <b>Net increase.....</b>                      | <b>+101</b> |

<sup>1</sup> Excludes from computation \$400,000,000 one-time budget authority under proposed student aid legislation.

Let us bear this in mind: For most of the programs for which the Hathaway amendment recommends increases the committee has sent to us a bill with a \$630 million increase in money. That is on top of the \$1.4 billion in the present fiscal year over the fiscal year before. The 1971 fiscal year is \$1.4 billion above the 1970 fiscal year.

Let us look at that argument that we are not spending enough for education. I believe there is an education crisis in the country, but it is not just a crisis of money. Bear in mind that in this Nation, with 6 percent of the people of the world, we are spending about half of all the money being spent in the world for education. Fifty percent of all the money spent for education in the world is being spent for 6 percent of the people, who live in the United States.

Let us look at the total education expenditures in this Nation. We are not funding 100 percent of the money for education in the Federal Government the way we are funding 100 percent of the money for the military. Education receives assistance from the local and State governments as well.

In the past 10 years expenditures for education in this Nation have doubled—doubled. If we had asked the educators 10 years ago what would happen if they could have their money doubled for education, they would have thought Utopia had arrived. We have done it in this Nation—the local communities, the States, and the Federal Government.

I do not believe we ought to delay the legislation by adopting an amendment that will run us through the whole kind of turmoil we had last year with respect to appropriation bills and finally send the schools their money in December.

There is another point we ought to bear in mind. We are still using the same formula for title I ESEA, the biggest single Federal assistance given for elementary and secondary schools, for disadvantaged children. Title I is still using the census information from the 1960 census, based on 1959 income.

Do the Members know that the children we are counting in title I on the elementary and secondary education program from census information have all left school? They are not in school any more.

We are counting people who are adults, no longer in school.

The census information for 1970 will not be used until next year, and we do not know exactly how many children there are in each county. It will not be until the end of this year that we find that out.

Let me point out a few examples of what is happening, and why we should not increase title I this year, when counties with decreasing population will have to cut back next year.

Greene County, Ala., receives \$552,000 of title I money. They have had a 24-percent population loss in the last 10 years.

Or let us look at Aroostook County, Maine, which receives \$876,900. Those are all title I allocations for 1971, not the authorization. Aroostook County has had a 12.8-percent population loss.

Or look at Pemiscot County, Mo., which receives \$1,039,800. They have had

a 32.2-percent population loss. Evidently they just do not have as many children now as existed there in 1960.

Or let us take Warren County, N.C. They received \$643,735 and have had a 22.2-percent population loss in 10 years.

McDowell County, W. Va., receives \$1,490,000, and has had a 31.9-percent population loss.

Throughout the Nation just about half—about 44 percent—of the counties of the Nation have had a population loss. That means those children we expect are there are over in some other county. Why pay additional amounts of money for a program when the needs are not the same in many counties anymore?

The Appropriations Committee sent out a bill with a figure that does not cut title I money at all. It does provide the same amount of money as the year before.

Let us wait until next year before we provide any increases in title I when we can find out where the children actually live. We ought to pay for the education of the children who are living there, not for those who lived there about 13 years ago.

To give you an idea of some of the population changes in the country, I have checked some of the States at random. All had population gains, but with losses in various counties as shown:

| State          | Population gain (percent) | Total counties | Number losing population | Upper range of loss (percent) |
|----------------|---------------------------|----------------|--------------------------|-------------------------------|
| Alabama        | 3.3                       | 67             | 38                       | 24.0                          |
| California     | 25.5                      | 58             | 9                        | 25.5                          |
| Colorado       | 24.2                      | 63             | 34                       | 40.1                          |
| Georgia        | 13.9                      | 159            | 79                       | 26.6                          |
| Illinois       | 8.9                       | 102            | 54                       | 26.4                          |
| Maine          | 8                         | 16             | 7                        | 12.8                          |
| Michigan       | 12.2                      | 68             | 16                       | 20.4                          |
| Minnesota      | 10.4                      | 87             | 47                       | 18.1                          |
| Missouri       | 7.3                       | 116            | 60                       | 32.2                          |
| New York       | 7.4                       | 61             | 11                       | 11.1                          |
| New Mexico     | 5.0                       | 32             | 17                       | 29.2                          |
| North Carolina | 8.9                       | 102            | 44                       | 22.2                          |
| Utah           | 19.1                      | 28             | 14                       | 43.6                          |

Nationwide, 1,362 counties—43.9 percent of the total counties in the Nation—lost population between 1960 and 1970.

The best reason why I oppose the Hathaway amendment is because of the fact that it provides for a \$138 million increase for impact aid. Until we amend that act it is unconscionable that we provide that kind of an increase.

Mr. PERKINS. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I do not hold to the belief that the President will again veto an education bill when the needs are so great. To my way of thinking, we would be derelict in our responsibility if we did not do something about the crisis that exists today in education throughout the length and breadth of this land.

I hope that no one will get excited about the figures that the gentleman from Minnesota gave to this committee, namely, that the children were not in existence any longer. The truth of the matter is we are only serving about 35 percent of the disadvantaged children in all of the communities throughout America. If anyone does not believe that within the sound of my voice, go and ask your local school superintendents. If you

could hear the local school superintendents of this Nation testify, I think they would convince about 95 percent of this body that we should vote for increased appropriations. Even with the Hathaway amendment increase under title I, the program would be funded only at 43 percent of the authorization. This authorization amounts to over \$4½ billion. Since 1968 we have been going backwards because of inadequate funding under title I—at a time we should have been moving forcibly forward.

Let me ask you again to go and call your local educational agencies throughout America if you do not believe that statement. I am telling you what the record shows. I have from two or three different surveys put all of these facts from time to time into the CONGRESSIONAL RECORD. I put some of those facts in the RECORD yesterday.

We have the same level of funding for title I this year as we had last year of \$1.5 billion. A point of order was sustained today where the Committee on Appropriations had undertaken to rewrite the authorization and deny funds to orphans, migrants, and handicapped. Now these children will be funded and get the full appropriation entitlement in their States, which means a reduction of assistance to local educational agencies under title I.

I say to you that a 10-percent increase over last year's level is required to keep local education programs at the previous level. If the increase is not provided, either the local educational programs will be curtailed or disadvantaged children will be dropped from programs at the State agency level. That is the situation.

I just wish we had the time to discuss all of these programs. The \$150 million proposed in this package, to my way of thinking, for title I is a minimum as well as the \$5 million for title II, libraries and textbooks of the elementary and secondary education program, raising the appropriation up to \$90 million. Even with this increase the program would only be funded at 41 percent of the authorization. Thus, 423 million volumes are needed to bring school libraries up to standard. The additional \$5 million addition will be a very modest step in attempting to meet this need.

And, in the land-grant colleges under the Jones-Bankhead Act it is felt unanimously at a time when we need increased salaries for teachers at these institutions such as Penn State, the University of Kentucky, and all of the other land-grant colleges, that we should not say to them we are going to cut back your money. However, that is what has happened in this bill. These needs are addressed, though in modest fashion by the Hathaway amendment. At this point let me commend the distinguished gentleman from Maine (Mr. HATHAWAY). His knowledge of educational needs, his knowledge of educational programs, his sensitivity to the problems of this Nation which have roots in what happens in the educational and formative years of the lives of young people have been evidenced time and again as he worked as a member of the House Education and Labor Committee.

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

Mr. PERKINS. Mr. Chairman, I ask unanimous consent to proceed for 10 additional minutes.

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

Mr. FLOOD. Mr. Chairman, I object.

Mr. GROSS. Mr. Speaker, reserving the right to object, would not the gentleman from Kentucky settle for 5 additional minutes?

Mr. PERKINS. I would be delighted to if I have to, but I wanted to go into all of these programs.

Mr. GROSS. I thought we came in early this morning in order to try to dispose of this legislation at a reasonable time.

If the gentleman wants to amend his request to proceed for 5 additional minutes, I shall not object, but I shall object to 10 minutes.

Mr. PERKINS. Mr. Chairman, I amend my unanimous-consent request and ask unanimous consent to proceed for 5 additional minutes.

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

There was no objection.

Mr. PERKINS. We are cutting back our programs at a time when we should be expanding the programs in the land-grant colleges and to all of the higher education institutions throughout America.

Now, Mr. Chairman, I shall not take the time to discuss all of these programs, but let us take, for instance, facilities under the Higher Education Act. There is nothing in the committee bill for facility grants. The Hathaway package adds \$94 million. The record is replete with evidence that they need not just \$94 million but more than \$1 billion. This is just another example of the modesty of the package which I urge you to support.

Now, under the Vocational Education Act, the State plans filed with the Office of Education show a need of \$779.6 million for vocational education programs in fiscal year 1972. Even with the increase, we will fall short of that amount by more than \$150 million.

And, again, think of a program that we could take advantage of that would do more to bring long-range alleviation of unemployment than this vocational education program. I think it is our duty to make additional funding available for all of our area vocational schools throughout America where we have long waiting lists. I know in my district we have a waiting list of more than 3,000, and the same thing exists all over this Nation.

Now, the total we have added on here for consumer and homemaking, work study, cooperative education, and exemplary programs, carries an increase in the Hathaway amendment of \$95.820 million for vocational and adult education. To my way of thinking this certainly should be supported.

Now, Mr. Chairman, higher education, just like education at all levels across the country, according to the Carnegie report is facing a crisis. We all know in the Committee on Education and Labor, and

I know the information is available to the Committee on Appropriations, that we have colleges in this country closing their doors with alarming regularity. I know that some of you say, "Well, we have gone far enough. We have done all that we can do." But, we have not done, what the Congress could and should do.

Mr. Chairman, I do not view any threat from the President insofar as our duty to legislate is concerned. I think it is our duty. The Appropriations Committee is certainly to be complimented for a timely appropriation bill. But now is the time—not later—to add funds that will be needed in September when school doors open.

I say in my judgment we should vote for this package as a minimum.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the distinguished gentleman from Iowa.

Mr. SMITH of Iowa. Mr. Chairman, is the gentleman telling us now that there will be no authorization for school desegregation?

Mr. PERKINS. I am not telling the gentleman that. There is need for assistance to schools undergoing school desegregation. But as between the two priorities, if we are going to serve the disadvantaged children of the Nation, 90 percent of what is being proposed in the President's bill can be well and efficiently expended under title I.

I say to you that we will be derelict in our responsibilities if we do not do something about the educational crisis that exists in America today. All you have to do is just go to the telephone, if you ignore the record, and call your local school superintendent.

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

Mr. CASEY of Texas. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, the distinguished gentleman from Kentucky who just preceded me in the well asked you in the beginning of his statement, and when he closed, to go back and call your local school superintendents. Why do you have to do that? You probably have already been hearing from them, because any time any local administrator hears of some additional money his eyes light up like the proverbial pinball machine, and you know it.

Of course, they want more money. They need more money. Who does not? We do in our Federal Government, we need more money as far as that is concerned.

He talked about schools being at the end of the road. Well, we in the Federal Government do not have too much road stretching ahead of us when you get right down to it, and if you listened to the gentleman from Texas, the chairman of the full Committee on Appropriations, (Mr. MAHON), I think that gentleman factually laid it out.

Now, I received the "dear colleague" letter from our very good friend and able colleague, the gentleman from Maine (Mr. HATHAWAY), on April 5, for this package deal. Why did the gentleman not send it to us sooner? Be-

cause it was not cooked up until Sunday. He did not know what was going to be in it until Sunday.

You remember, the ice cream man used to sell one flavor of ice cream, and the next thing he knew somebody down the street started selling chocolate and vanilla, and started getting more customers. Now the ice cream man sells 48 different flavors and they are all in this amendment, they are all in here; there is something for everyone.

Let us look at this. If our subcommittee, my distinguished chairman, and the members of the committee, if we had sat around on our constitutional rights and done nothing all these past months, we would deserve to be criticized. We were given, by the administration, a budget request that did not make sense because it was based on legislation that is sitting in the committee chaired by the gentleman from Kentucky now, he has not had a chance to hear all of it yet. It was based on revenue sharing—and incidentally, on that you can call your local mayor, and he will tell you how great revenue sharing is, because he can just see those dollars rolling into him, and he does not have to do a thing for them.

This is a reasonable bill that we reported out. Why, Mr. Chairman, you do not need to call anyone, just go out and ask anyone, "Are you for education?" Who is not in this country?

Who is not? The little fellows, the high school students, college students, and the adults—we are all for it. We have been doing plenty on the Federal level.

I do not recall, when I first entered Congress, but my guess or recollection is that the Federal Government was probably only contributing a few hundred million dollars. Well now, that is not paltry. As my very good subcommittee chairman says, when you mention \$100 million, "you should show respect"—and hold your hand over your heart.

We are talking about over \$4 billion in this bill, this is how Federal support has jumped in the last decade.

We have to show some fiscal responsibility. As one of my colleagues said—"This is over the budget request and I probably should vote against it." Oh no, I convinced him that these figures that we put in here were a responsible increase.

Someone added that the President would not veto this. He did, twice in a row. We did not override the veto 2 years ago, because the increase was put on in a big package deal. On the last bill we overrode the veto, because we increased it responsibly by amending it on the floor section by section, and the gentleman from Kentucky had a chance to speak longer.

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

Mr. CASEY of Texas. I yield to the gentleman.

Mr. PERKINS. Mr. Chairman, I say that we all should not criticize the package put together by the gentleman from Maine which deals not only with disadvantaged children, but all critical needs in education. It has been carefully worked out. My only complaint would be is that it is more modest than the need requires.

Mr. CASEY of Texas. Mr. Chairman, I decline to yield further to the gentleman.

Mr. PERKINS. I want you to state further—

Mr. CASEY of Texas. Mr. Chairman, I refuse to yield further.

I think he sent his amendment around—if anyone wants to read it.

You want to speak longer and explain all these proposed amendments.

If you vote the Hathaway amendment down, you can offer an amendment on each of these items that you are talking about and then you will have the time to speak. But you do not want to do that. You want to offer a package deal and say—Look, you have everything in here—you have the 48 different flavors and you can vote for it.

Mr. ANDREWS of Alabama. Mr. Chairman, will the gentleman yield?

Mr. CASEY of Texas. I am pleased to yield to my good friend, the gentleman from Alabama.

Mr. ANDREWS of Alabama. The gentleman said that this package was cooked up, whatever he meant by that—last Sunday. Do you know who cooked it up?

Mr. CASEY of Texas. I believe it was one of these full funding organizations. I think they are for full funding for this, but I do not think they are for full funding for all other Federal programs.

The CHAIRMAN. The time of the gentleman has expired.

(Mr. CASEY of Texas asked and was given permission to proceed for 3 additional minutes.)

Mr. CASEY of Texas. Mr. Chairman, I just want to say—I used the words "cooked up." Of course, and really they want more money on each of these things. But just to show you how some of it may have been picked out of thin air, in my opinion, here they have "dropout prevention"—and they have added \$1 million. That is a modest increase. But you know we have dropout prevention in every program in this bill. But they figured and somebody said—You had better put something in there for an increase for the dropout prevention, if you want to get full support. So there has been a million more dropped in the dropout prevention.

So I just want to say to the Members of this House that you will not have to apologize by supporting this bill and the increases that are in it.

You vote down this amendment, and as was pointed out by the distinguished ranking minority member of our subcommittee, the gentleman from Illinois (Mr. MICHEL) you then have an opportunity to take this up section by section and offer amendments which can be discussed fully. Then you will know what you are doing and whether you want to support increases or not.

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

Mr. CASEY of Texas. I yield to the gentleman.

Mr. PERKINS. I think the gentleman, with his knowledge and with his wide experience as a legislator, knows, and he will agree with me, that when this package is voted on for all intents and purposes, that ends our consideration of the bill.

Mr. CASEY of Texas. I do not know that that is true at all. I know if Members

feel strongly about some of these particular programs—and if I felt as strongly as some of them claim they do—I would not try to ride on anybody else's coat tails, but I would offer my own amendment, and try to pass it on its own merits.

Mr. REID of New York. Mr. Chairman, I rise in support of the Hathaway amendment to H.R. 7016. Specifically I think this amendment is important to the State of New York. Governor Rockefeller and his commissioner of education, Dr. Ewald B. Nyquist, Jr., have telegraphed members of the delegation to the effect that they support the amendment, and I am apprised that it represents something on the order of \$60 million additional to the State of New York.

More directly to the point, in 1969, over 22 percent of the local school budgets were voted down in New York. Last year something on the order of 12 percent met the same fate. What we are talking about here today basically is the question of priorities and whether we are going to attach a higher priority to education than either the Johnson administration or this administration.

Quality education cannot be provided cheaply. Quality education cannot be provided when it is assigned a low budget priority. Quality education cannot be provided when a commitment and genuine interest are lacking.

Increasingly, citizens are looking to the Federal Government to assume a portion of the local costs of education. Homeowners simply cannot afford an increase in the property tax when inflation and other tax increases are already pressing hard on their budgets. States and localities are cutting back on their expenditures for education as they are squeezed to provide other essential municipal services.

The Federal Government must not abdicate this responsibility. While revenue sharing may provide some of the funds needed for education, revenue sharing does not exist now and it is not likely to become effective for some time, if at all. We cannot allow schools and colleges merely to be strung along while we debate the merits of future programs. Schools, colleges, and students need money now. They will not wait and they should not be asked to wait.

The administration's budget request hardly reflects the urgency of the fiscal crisis in education. There is virtually no money for NDEA loans, no money for construction grants for college facilities, a mere token appropriation for college library resources, and—once again—no funds for public library construction. Other programs are generally requested to be funded simply at levels which will permit maintenance of prior year operations, with no expansion or increases or allowance for rising costs.

The committee has added to these budget requests in many important areas, and I wish to commend the members for these efforts. What has been done, however, is not good enough and that is why the Hathaway amendment is necessary. The committee has added \$101 million to the President's budget request, bringing the total for education appropriations to \$4.77 billion excluding amounts for programs not yet

authorized. Nonetheless, this amount still falls 65 percent or \$8.8 billion below what the Congress has authorized for education programs.

Specifically, with regard to the programs I have mentioned and related areas, the following figures are relevant:

For titles I and III of the Library Services and Construction Act, public library services, the administration requested only \$18 million. The committee fortunately raised that figure to \$40.709 million and the Hathaway amendment would add another \$14 million.

For title II of the Library Services and Construction Act, public library construction, the administration requested absolutely nothing; the committee provided \$8 million and the Hathaway amendment would add \$2 million more.

For title II-A of the Higher Education Act, college library resources, the administration requested \$5 million, the committee recommends \$10 million, and the Hathaway amendment would add another \$10.3 million.

For title II-B of the Higher Education Act, librarian training, the administration requested and the committee recommended \$2 million and the Hathaway amendment would double that figure.

For title II of ESEA, school library programs, the administration requested \$80 million, the committee recommended \$85 million, and the Hathaway amendment would raise this amount to \$90 million.

For college construction grants under the Higher Education Facilities Act, neither the administration nor the committee recommended any funding but the Hathaway amendment proposes \$99 million.

For direct loans under title II of NDEA, the administration requested \$5 million to phase out the program, but the committee recommended \$293 million.

I would like particularly to indicate the importance of the additional funds in the Hathaway amendment for library programs. They are a vital element, the essential ingredient, if you will, of all the education programs supported by this legislation, for the library services we will endorse this day range from the storytelling that awakens a desire to read in the preschool child all the way to the bibliographic apparatus provided to the postdoctoral scholar, as well as the everyday services we have come to expect from our public libraries.

My district and my State, I am proud to say, enjoy relatively good library services, in our schools, our colleges, and universities and research institutions, and in our communities. New York is among the States that provide in matching funds far more than it obtains under the programs encompassed in this legislation. Yet this bill and the additional funds that would be available under the amendment are of great significance to New York State, not only because we want to do our part in the nationwide effort to improve school and college and public library services, but also because we have tremendous needs, especially in our urban areas, and can make good use of the additional library funds in New York State.

An estimated 16 percent of the elementary schools in New York State are without libraries. The amendment would add \$5 million to the appropriation under title II of the Elementary and Secondary Education Act, one of the few Federal programs that is available to the private schools that enroll about 11 percent of the young people in the elementary and secondary schools. The amount proposed by the amendment, \$90 million, would provide about one book for every three of the 52 million enrolled in elementary and secondary education.

The New York State Education Department's Right-to-Read Task Force, which is working to achieve the administration's goal of wiping out illiteracy, has emphasized the need of every school for "a school library media center staffed by a trained librarian and equipped with an appropriate collection of materials to satisfy a wide range of interests." Yet we know that about 43,000 schools throughout the country lack media centers and that 425 million volumes would be needed to create them and bring all the centers up to desirable standards, not to mention the films, tapes, recordings, and other instructional materials that are used in the present-day methods of teaching and learning.

Teaching tools are also provided under title III of the National Defense Education Act, the appropriation for which would be increased under the amendment. This program was enacted in the Eisenhower administration with strong bipartisan support. It is one Federal program for which virtually every school is eligible, and the appropriations are fully utilized even though one State or local dollar must be provided for every Federal dollar.

The amendment would merely bring the appropriation for title III up to the level of the previous year. This is little enough. The schools of New York State and the Nation are willing to match a Federal appropriation twice as large.

They need scientific laboratory equipment, they need films and programed learning materials, they need foreign language laboratories. Let us reorder our priorities and provide them with at least half the classroom teaching equipment they are seeking.

The amendment would augment the committee bill with respect to the appropriations under title II of the Higher Education Act, which provides support for college library resources under part A of the title. Unless the amendment is adopted, only 48 out of 175 institutions of higher education in New York State are likely to be given grants under part A of title II. The number of books available per college student has been going down in recent years, yet the committee bill would reduce this appropriation by one-third, below the amount appropriated last year, while the amendment would raise it by \$9.3 million, almost up to the fiscal year 1970 level.

Last year, 2,200 colleges qualified for basic support grants, which must be fully matched. This year, only 750 institutions qualify for basic grants with the reduced funds available. And the number would not increase in fiscal year

1972 unless the committee bill is improved by the proposed amendment. How can we justify less support for college library operations in the face of still-rising enrollments, the rising tide of published materials, the broadened and improved curriculum of the colleges, and the trend toward independent study which requires reading far afield from the assigned textbooks?

The colleges are well aware of these trends. They stand ready to match three times the sum that would be provided under the committee bill for basic and supplemental grants. Let us meet them half way by adoption of the amendment.

I am informed that three times as many applications have been received for training programs under part B of title II of the Higher Education Act as could be funded. This program provides trained librarians, and they are badly needed. The shortage is estimated at 10,000 for public libraries alone, while the library schools of the Nation graduate only 6,000 per year for the school, college and public libraries that have budgeted but unfilled positions for them. At the same time, retirements continue to deplete the working force of professional librarians.

The amendment would double the amount proposed by the committee bill for part B of title II for library training, yet this increase would bring the appropriation only up to the level of last year. All we seek here is to keep the program on an even keel, and even restoring the appropriation to the previous level would suffice only to fund about one-third of the applications for master's degree fellowships in library science for deserving students.

For the Library Services and Construction Act, the amendment would provide additions that are modest indeed, not only in relation to the amounts proposed by the committee but also in proportion to the need as determined by objective fact. The amount proposed by the committee for title I and for title III would be increased by little more than one-third by the amendment. Title I provides grants for extension of public library services to places without them or with inadequate library services.

There are many such places. An estimated 15 million Americans have no public library service whatsoever. Last year we merged into title I the program previously authorized under title IV of the act, for provision of library services to the physically handicapped and persons in State-supported institutions such as hospitals, prisons, homes for the aged and for dependent children. Only about 2 percent of the physically handicapped are receiving the special public library services they need and were promised when we enacted the legislation. Less than half of the State-supported residential institutions are getting the aid we promised because of the insufficient appropriations.

The demands are therefore very great upon title I of the Library Services and Construction Act. With the adoption of the amendment, the appropriation would still be less than half the amount authorized, an amount that the Committee on

Labor and Education considered very carefully before adopting. Title III, which supports interlibrary cooperation, is a vital part of the program. It enables the libraries to knit together the services provided in various parts of each State and among libraries of all types.

New York State has used its title III funds to improve interlibrary loan services with NYSILL—the New York State Interlibrary Loan Network. It operates through selected public library systems, which are designated as Area Referral Centers, and selected public, college, and special libraries, which are designated as Subject Referral Centers. The hub and monitor of this network is the New York State Library. In this way, the library patron in every part of the State has access to large general library collections as well as extensive special collections in many fields. This service is needed in every State, for it capitalizes on the investment in library services by expanding access, and the Federal investment that is required is very small indeed in proportion to the improvement that is wrought.

Finally, Mr. Chairman, there are some 300 communities throughout the country that have planned new public library construction projects or the modernization or expansion of existing facilities. Many of these projects are located in inner-city areas; some of them involve the alteration of stores to provide library services or the provision of a small library in a low-income housing project. Many others are for rural areas that have no library buildings or only worn-out and overcrowded buildings. The amendment would permit the building of some 30 to 36 additional libraries—that is all the amendment would add, and that is hardly more than a token addition, yet welcome and needed.

To further illustrate the importance of providing adequate public library construction funds, I cite a case in my own district. In 1969, New Rochelle was ready to begin constructing a library building, but there was not enough Federal money to go ahead. Subsequently, the construction site was lost, and with it the proposed Audio Visual Center for the Westchester System.

I would add, in closing, Mr. Chairman, that considerably more than libraries are at stake in the current fiscal crisis affecting our universities. While the committee has labored under difficult circumstances to make appropriations for student aid programs which have not yet been authorized, I think that the additional amounts in the Hathaway amendment for educational opportunity grants and work-study are essential. While the administration may wish to persist in sticking its head in the sand and ignoring the fact that loans from the private sector are not a feasible means of financing higher education today for families in income ranges over \$10,000, I trust that we in the Congress will pay greater attention to the realities. We can start by increasing, rather than by allowing to remain static, the number of EOG's and work-study awards made.

Similarly, I am pleased that the committee, by recommending \$293 million

for NDEA direct loans, has rescued that important program from the oblivion to which a \$5 billion budget request would have consigned it. The 648,900 students will be able to take advantage of this vital program with these funds.

And although this bill is not the proper vehicle for a discussion of new programs, I must take the opportunity to emphasize again that unless we give serious consideration to institutional aid to colleges and universities, we may well be consigning our great universities to a reduction in the very services and programs that have made them great. In my judgment, our Nation cannot afford that and we are deluding ourselves if we think that education—whether elementary, secondary or higher—is going to survive and thrive without a massive infusion of Federal aid. The sooner we accept that fact the sooner our educational system can concentrate on excellence instead of survival.

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

Mr. REID of New York. I am happy to yield to the gentleman from New York.

Mr. BINGHAM. I thank the gentleman for yielding. I commend him on his statement. I would like to associate myself with his remarks.

Mr. Chairman, I rise in support of the Hathaway amendment to increase Federal funds for education.

Today not only are more children attending school but the costs of education are rising rapidly. The administration has recommended a hold-the-line budget, but to hold the line in the face of increasing numbers and increasing costs is to fall further behind. Substantial increases are needed if we are to just hold the line and our objective should be to do more. The President argued that we needed the SST so that we could maintain our leading position in aerospace construction. I would rather see us

leading the world in education; in what we can do for deprived segments of our society; in what we can do for handicapped children.

In my own district, the need for Federal assistance to education is acute. For example, the Upward Bound program, originally started by the Office of Economic Opportunity and later transferred to the Office of Education in the Department of Health, Education, and Welfare, has helped many young people from the 23d District in New York, who might otherwise never have been able to meet the academic requirements to go to college, continue on to college after completing high school. This program is being severely cut back by the administration. The Hathaway amendment will add \$5 million to this program, the bare minimum to enable this program to continue at present levels in the face of rising costs. We can do no less.

I am disappointed that the Hathaway amendment does not include any increase in title VII, ESEA, funds for bilingual education. Last year, \$25 million was appropriated for bilingual education. This year, the amount has been increased to \$27 million by the committee but this is still 73 percent below the level authorized by Congress. Since the Hathaway amendment does not increase this amount, I would like to go on record as urging the Senate to provide a substantial increase in funds for this program. I would hope that the House would accept the Senate increase in conference. The Appropriations Committee has recommended \$4.77 billion in the education appropriations bill before us today, an amount which is a bare \$101 million above the President's bare bones budget request. The Hathaway amendment would add a total of \$728.6 million to the committee bill, an increase which, when viewed in terms of the increased costs of education and the priority education

should have in our Nation, can only be viewed as minimal. This increase includes funds for higher education, vocational and adult education programs, impact aid, educational assistance to handicapped children, elementary and secondary schools, and many other important programs.

Mr. Chairman, I urge adoption of the amendment.

Mr. WILLIAM D. FORD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the package amendment to provide \$728 million additional over the committee recommendation for the funding of education programs in the school year which will begin in September 1971.

Mr. Chairman, this bill which we consider today marks the third conflict between Congress and the administration over the funding of education programs. The President vetoed both the Office of Education appropriation bills for fiscal year 1970 and fiscal year 1971. The committee bill for fiscal year 1972 would appropriate approximately \$4,654 million to the Office of Education for education programs conducted by local education agencies, State education agencies, vocational education agencies, and institutions of higher education. It does make some steps forward in restoring funds eliminated for education by the President's budget submission. At this point, let me show for the attention of my colleagues what the President's budget submission would mean for education in the State of Michigan. If the budget were followed instead of what Congress appropriated last year, \$111,351,479 for Michigan, the State would receive this year only \$84,561,922. To illustrate the impact, let me submit at this point tables prepared by the Department of Health, Education, and Welfare with respect to the President's budget impact on Michigan.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1972 BUDGET ESTIMATES

|   | Fiscal year— |                    |                     |  | Fiscal year— |                    |                     |
|---|--------------|--------------------|---------------------|--|--------------|--------------------|---------------------|
|   | 1970 actual  | 1971 appropriation | 1972 budget request |  | 1970 actual  | 1971 appropriation | 1972 budget request |
| Elementary and secondary education:                       |              |                    |                     |  |              |                    |                     |
| Aid to school districts:                                  |              |                    |                     |  |              |                    |                     |
| Educationally deprived children (ESEA I):                 |              |                    |                     |  |              |                    |                     |
| Pt. A:  |              |                    |                     |  |              |                    |                     |
| Basic grants  | \$42,339,833 | \$47,052,229       | \$47,486,093        |  |              |                    |                     |
| State administrative expenses                             | 423,398      | 470,522            | 474,861             |  |              |                    |                     |
| Pt. B: Special incentive grants                           |              | 945,696            | 945,696             |  |              |                    |                     |
| Pt. C: Special grants for urban and rural schools         |              | 392,756            | 392,756             |  |              |                    |                     |
| Supplementary services (ESEA III)                         | 5,346,325    | 5,857,683          | 5,837,297           |  |              |                    |                     |
| Grants to States for school library materials (ESEA II)   | 2,000,378    | 3,765,418          | 3,780,218           |  |              |                    |                     |
| Strengthening State departments of education (ESEA V):    |              |                    |                     |  |              |                    |                     |
| Grants to States  | 1,002,131    | 1,002,131          | 1,116,121           |  |              |                    |                     |
| Grants for special projects                               |              |                    |                     |  |              |                    |                     |
| Acquisition of equipment and minor remodeling (NDEA III): |              |                    |                     |  |              |                    |                     |
| Grants to States  | 1,553,289    | 2,116,053          |                     |  |              |                    |                     |
| Loans to nonprofit private schools                        |              |                    |                     |  |              |                    |                     |
| State administration                                      | 86,366       | 85,916             |                     |  |              |                    |                     |
| Dropout prevention (ESEA VIII)                            |              |                    |                     |  |              |                    |                     |
| Bilingual education (ESEA VII)                            | 256,450      |                    |                     |  |              |                    |                     |
| Follow Through (Economic Opportunity Act, sec. 222(a)(2)) | 1,802,333    |                    |                     |  |              |                    |                     |
| Subtotal, elementary and secondary education              | 54,810,503   | 61,688,404         | 60,033,042          |  |              |                    |                     |
| School assistance in federally affected areas:            |              |                    |                     |  |              |                    |                     |
| Maintenance (Public Law 81-874)                           | 4,690,071    | 5,523,000          | 4,983,000           |  |              |                    |                     |
| Construction (Public Law 81-815)                          |              |                    |                     |  |              |                    |                     |
| Subtotal, school assistance in federally affected areas   | 4,690,071    | 5,523,000          | 4,983,000           |  |              |                    |                     |
| Emergency school assistance                               |              |                    |                     |  |              | \$11,332           |                     |
| Education for the handicapped:                            |              |                    |                     |  |              |                    |                     |
| State grant programs (EHA, pt. B)                         | \$1,268,699  | 1,426,642          | \$1,472,906         |  |              |                    |                     |
| Early childhood projects (EHA, pt. C, sec. 623)           | 100,000      |                    |                     |  |              |                    |                     |
| Teacher education and recruitment                         | 1,479,273    |                    |                     |  |              |                    |                     |
| Research and innovation                                   | 737,573      |                    |                     |  |              |                    |                     |
| Subtotal, education for the handicapped                   | 3,585,535    | 1,426,642          | 1,472,906           |  |              |                    |                     |
| Vocational and adult education:                           |              |                    |                     |  |              |                    |                     |
| Grants to States for vocational education:                |              |                    |                     |  |              |                    |                     |
| Basic vocational education programs:                      |              |                    |                     |  |              |                    |                     |
| State grants  | 12,038,767   | 12,596,706         | 15,217,985          |  |              |                    |                     |
| Programs for students with special needs (VEA, pt. B)     | 665,143      | 782,682            |                     |  |              |                    |                     |
| Consumer and homemaking education (VEA, pt. F)            | 586,753      | 831,649            |                     |  |              |                    |                     |
| Work-study (VEA, pt. H)                                   | 186,486      | 241,334            |                     |  |              |                    |                     |
| Cooperative education (VEA, pt. G)                        | 353,636      | 552,045            |                     |  |              |                    |                     |
| State advisory councils (VEA, pt. B)                      | 74,803       | 74,803             | 85,062              |  |              |                    |                     |
| Vocational research:                                      |              |                    |                     |  |              |                    |                     |
| Innovation (VEA, pt. D)                                   | 280,886      | 441,818            |                     |  |              |                    |                     |
| Curriculum development (VEA, pt. I)                       |              |                    |                     |  |              |                    |                     |
| Research  | 30,275       | 1,399,634          |                     |  |              |                    |                     |
| Adult education (Adult Education Act):                    |              |                    |                     |  |              |                    |                     |
| Grants to States  | 1,106,931    | 1,248,005          | 1,686,848           |  |              |                    |                     |
| Special projects and teacher education                    | 141,999      |                    |                     |  |              |                    |                     |
| Subtotal, vocational and adult education                  | 15,465,679   | 18,168,676         | 16,989,895          |  |              |                    |                     |

|   | Fiscal year— |                    |                     |   | Fiscal year— |                    |                     |
|---|--------------|--------------------|---------------------|---|--------------|--------------------|---------------------|
|   | 1970 actual  | 1971 appropriation | 1972 budget request |   | 1970 actual  | 1971 appropriation | 1972 budget request |
| <b>Higher education:</b>  |              |                    |                     | <b>Higher education—Cont.</b>   |              |                    |                     |
| Student assistance:   |              |                    |                     | College personnel development.....  | \$1,837,925  |                    |                     |
| Grants and work-study payments:   |              |                    |                     | Subtotal, higher education.....   | 28,725,972   | \$22,285,166       | \$433,785           |
| Educational opportunity grants (HEA IV-A).....  | \$6,815,400  | \$2,894,032        |                     | <b>Education professions development:</b>                                       |              |                    |                     |
| Work-study.....   | 4,773,268    | 6,082,702          |                     | Personnel training and development.....   | 3,015,609    | 555,910            | 181,854             |
| Direct loans (NDEA II).....   | 8,690,339    | 10,522,089         |                     | Special programs serving schools in low-income areas:                           |              |                    |                     |
| Special programs for disadvantaged students (HEA, sec. 408):                          |              |                    |                     | Teacher Corps.....  | 798,719      |                    |                     |
| Talent Search.....  | 171,000      |                    |                     | Career opportunities and urban/rural school programs.....                       | 877,245      |                    |                     |
| Special services in college.....  | 984,309      |                    |                     | Subtotal, education professions development.....                                | 4,691,573    | 555,910            | 181,854             |
| Upward Bound.....   | 240,000      |                    |                     | <b>Libraries and educational communications:</b>                                |              |                    |                     |
| Institutional assistance:   |              |                    |                     | Public libraries:   |              |                    |                     |
| Strengthening developing institutions (HEA III).....                                  | 50,000       |                    |                     | Services.....   | 1,263,804    | 1,489,643          | 467,440             |
| Construction:   |              |                    |                     | Construction (LSCA II).....   |              | 202,706            |                     |
| Subsidized loans (HEFA III).....  | 21,940       |                    |                     | College library resources (HEA II-A).....                                       | 344,588      |                    |                     |
| Grants:   |              |                    |                     | Librarian training (HEA II-B).....  | 266,901      |                    |                     |
| Public community colleges and technical institutes (HEFA I).....                      | 1,733,216    | 1,701,935          |                     | Educational broadcasting facilities (Communication Act of 1934, title III)..... |              |                    |                     |
| Other undergraduate facilities (HEFA I).....  | 1,247,385    |                    |                     | Subtotal, libraries and educational communications.....                         | 1,875,293    | 1,692,349          | 467,440             |
| State administration and planning (HEFA I).....                                       | 219,606      | 156,601            | \$99,817            | <b>Research and development:</b>  |              |                    |                     |
| Language training and area studies: Centers, fellowships, and research (NDEA VI)..... | 1,157,950    |                    |                     | Civil rights education (title IV, Civil Rights Act of 1964).....                | 1,561,240    |                    |                     |
| Training grants (Fulbright-Hays Act).....   | 113,638      |                    |                     | Total, Office of Education.....   | 115,838,843  | 111,351,479        | 84,561,922          |
| University community services (HEA I).....  | 283,968      | 283,968            | 283,968             |   |              |                    |                     |
| Aid to land-grant colleges:   |              |                    |                     |   |              |                    |                     |
| Annual (Bankhead-Jones Act).....  | 336,028      | 248,182            |                     |   |              |                    |                     |
| Permanent (Second Morrill Act).....   | 50,000       | 50,000             | 50,000              |   |              |                    |                     |
| Undergraduate instructional equipment (HEA VI):                                       |              |                    |                     |   |              |                    |                     |
| Television equipment.....   |              | 43,207             |                     |   |              |                    |                     |
| Other equipment.....  |              | 302,450            |                     |   |              |                    |                     |

I submit to my colleagues, however, that a simple restoration of cuts falls far short of what needs to be done at this time. At a time when there is a crisis in every school in the Nation with respect to increased enrollment, rising costs, underpaid teachers, desperate need for inservice training, new materials and new equipment, substantial increases of new financial resources must be provided. The Hathaway amendment is extremely modest, but I see it as only the first step of a legislative process, and I am hopeful that as the legislation progresses through the Senate and again through the House after conference, we can more closely approach what Congress has already authorized in funding these programs. The total funds provided for education, assuming the adoption of the Hathaway package, will be slightly over \$5,000,000,000. Yet, Congress has already authorized in excess of \$11,000,000,000. I say to my colleagues: This is the amount we should be providing. This is the amount we are capable of providing right now, without waiting for newly authorized legislation. The Congress has provided the means by which we can bring relief to all facets of education. It exists on the books. It does not need the hearing process, the lengthy debate that accompanies new authorizing legislation. This is why I say to you that the proposal confronting us today in the Hathaway package is a modest one.

I do not believe that the President would dare to veto this modest proposal. But, if he did, I believe that the crisis in education would again call upon the Congress to override the veto. I urge my colleagues to join me in supporting the increase of \$728,000,000 for education which will provide additional funds for vocational education, for elementary and secondary schools, for the purchase of equipment for laboratories, provide new

facilities for colleges and universities, and increase the amount of funds available for college work-study and national defense student loans.

Mr. Chairman, it is indeed sad that we have spent so much time in the last 2 hours talking about all the things that are not in the Hathaway amendment, while once again we are attempting to use those in our society who are least able to bear the burden as the scapegoats for our failure to find the solution to all of the problems we are unable as a legislative body and the President is unable as the Chief Executive to deal with. Once again, as we have so many times in the past, we are looking around and saying, "Who is the least able to carry the burden?" And then we are placing the burden on their shoulders.

It really pains me to hear the gentleman from Michigan, the distinguished minority leader, followed by the chairman of the full committee, stand here and talk in terms of issuing Members of the House with high-powered rifles to sit by the jungle path ready to shoot down appropriations expenditures and solve the problems of our budget and clear up the deficit. The fact is they are advocating that the Members sit by the path with their rifles and shoot mice while the elephants march by.

These same people were on the floor last week telling the Members we were going to go bust in this country unless we spent more on the SST. There was not one word from the President about how inflationary that would be.

It pains me to hear the cries and see the crocodile tears from the minority leader over a delay in the education appropriations unless we pass this appropriation bill.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM D. FORD. I will yield

to the gentleman from Michigan if the gentleman will help me get time equal to what the gentleman had a few minutes ago. I will not yield unless I get the time.

Mr. Chairman, we passed this authorization bill last year in March, not April, as we are now, and the reason the money did not get to the schools until after the schools started in the fall was not because of dereliction or inaction on the part of the Appropriations Committee, the full committee or the subcommittee, or of this House or of the Congress, for that matter. It was because the President of the United States decided to draw the line against inflation on all school expenditures. If we do not adopt the Hathaway amendment, we will be firing teachers who were paid with Federal dollars last year. We will not be firing the teachers because we have less pupils. We will be firing them because we cannot send the students to school for full days.

This is being done in a country in which, in response to the President who asked us to go to the moon in 10 years, we did so. We are now getting ready to celebrate our 200th anniversary by having school less than full days, by having school of half days for many of the children in this country.

We hear that we have not cut down Federal support in this field. We hear we have not cut down the legislation in this field, but every year we hear we spend more money on education, and twice as much as 10 years ago. That is true, but the cost of education has gone up three times while we have increased the expenditure only twice. We are not providing the level of support we provided before. In 1965 when we first passed this legislation, this House then appropriated 88 percent of what it had authorized in legislation. This year

we are supporting, if we vote against the Hathaway amendment, only 37 percent of the money we already have voted to expend.

A majority of this House—and this is not a Democratic or a Republican issue—on both sides of this House this body has voted to expend these funds. We are now being asked, out of some sort of loyalty to the committee and some plea to save the budget, to vote for 37 percent of the money we promised the people of the country we were going to expend on education. Every year since these programs have been in effect, every year since 1965, including the last two years when we have adopted the Joelson amendment and the Cohelan amendment, which are identical with the Hathaway amendment in their purpose and scope, we have cut back on the Federal commitment to education.

Do not be fooled by those who are saying that we are here asking for \$750 million of new money. All we are asking Members to do is to keep afloat the school children who are not trying to swim ahead. They are falling behind now, but we are trying to keep them from drowning.

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

Mr. WILLIAM D. FORD. I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, let me first compliment the gentleman on his great concern for the problem the House now considers. I would like to ask if the gentleman agrees that unless the Hathaway package is adopted "b" children will be drastically reduced but if it is adopted at least we will achieve 90 percent funding for both "a" children and "b" children.

Mr. WILLIAM D. FORD. The gentleman is exactly right. The effect of opposing the Hathaway amendment and supporting the committee is to rewrite the substantive legislation, previously passed by Congress, and reduce support in impact school districts.

The committee recommendation totals \$4,596.7 million or about 40 percent of the authorization. This is \$6,809.5 million, or 60 percent below the authorized level. The Hathaway amendment totals \$728.6 million, or less than 11 percent of the \$6,809.5 million which education programs are underfunded.

Adoption of the Hathaway amendment would increase the total education appropriation from \$4,596.7 million to \$5,325.3 million or about 48 percent of the authorization. Thus, even with approval of the Hathaway amendment, education programs would still be funded at less than half of the authorized level.

Mr. CONYERS. Mr. Chairman, I rise in support of the amendment. Reluctantly, as a Member on this side of the aisle, I make the observation that our leadership is not present at a time when we are considering one of the most important measures that could come before this body. Our leadership is not giving the kind of support that is necessary even to insure full attendance in this House. As one Member on this side of the aisle, I resent it. The leadership that is desperately needed, however, goes far be-

yond mere presence on this floor. As the majority party in Congress, we cannot escape the responsibility for the ultimate result of this legislation. We have before us an appropriations bill for education which is sorely inadequate to meet the increased enrollment and increased costs of our schools. The Hathaway amendment can and must be won. But where have our leaders been? They should have been actively pursuing the passage of this extremely crucial increase for education.

I strongly support the Hathaway amendment, and I yield back the remainder of my time.

Mr. WHITTEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, when it comes to schools I believe we all agree we are dealing with an emotional issue, not only because of the deep feeling we all have for the youth of this country but also because of the absolute knowledge we have that without education this country will fall in the long run.

I rise in opposition to this amendment. I wish to place my confidence in those who are interested in education and who spend months each and every year studying these problems and supporting education to the maximum of their ability. That is the members of this Appropriations Subcommittee.

I have been here long enough to believe, and to say, that I do not believe it made much difference how much money was put in here by the committee; an amendment would have been offered on this floor to greatly increase it, because it is usually accepted as good politics.

In these days when a dollar is buying less and less, when we are increasing year by year the amount of money spent for education, what your people and my people believe we need is more education for the money we spend.

I say to you, if you will start with DAN FLOOD and go down the list—NEAL SMITH, BILL HULL, BILL NATCHER, BOB CASEY, BOB MICHEL, GARNER SHRIVER, and SILVIO CONTE—I do not know of any group in this country I can tell the school people of my district I would rather look to, to see that the schools are run year in and year out on a solid, sound basis.

Now, there may seem to be a little political benefit to some in sending a bill down to the President that he would have to veto. It could be you might override such veto. I do not think so. May I say too, if we get into enough of a wrangle the Department of Education may be forced to operate on last year's level on a continuing resolution and have less than is in this bill. Such a situation has happened in the past.

I repeat what I said when we discussed this issue years ago. Whatever amount of money had been put into the bill by the committee which spent weeks and weeks studying it, which raised it above last year's level and above the budget level, somebody, somehow, would have offered an amendment to increase it, because it is that kind of an issue.

I hope you will listen to me and think about this. I tell my school people, and I believe you can tell yours, I would rather support the Members who han-

dle this program year after year, who believe in your program, who study the facts, who come in and make recommendations to us, in whom the Congress can have confidence to look at the issue, rather than to have a Johnny-come-lately effort to raise the amount, an action which, I repeat, will be made every year.

That is not to reflect in any way on my colleagues who follow that course of action.

I repeat, let us vote down this amendment and let us go ahead with this substantial increase in funds for education. Then let us cooperate with our folks at home and try to get more education for the dollars we spend. That is what we need.

Oh, it tears your heart out to read in the daily papers the deplorable condition of the schools in the District of Columbia and to go around the country and see how little of the money that is being spent is going to real education. Yes, and you can go and see what we need in these schools. We need discipline, we need public support, we need parental support and yes, judicial understanding that education must come first. We need to teach the boys to read and write, to teach them the fundamentals of arithmetic. Friends, we have a lot of troubles. Too frequently we are not teaching the subjects that the students need. We can dish out all of the money in the world because of what? Not because of the youngsters in school but because of a highly organized educational group, many whom I number among my friends, but I have never seen them have enough money since I started in political life at the age of 21. You just cannot satisfy that group. And most are very sincere.

Let us go back and support this committee who have worked with this bill and who have recommended more than \$200 million above what they had heretofore. Let us see that these funds go to our schools. Let us not have a wrangle with the White House and end up with less money than we had last year. I hope you will vote down this amendment and support this able subcommittee.

Mr. MICHEL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman and members of the Committee, I would like to join with my colleague who just preceded me in asking you for several reasons to vote down this package amendment.

You are still going to have the opportunity, after you vote down this package, of reading this bill through paragraph by paragraph and making the amendments that you think you ought to make and rejecting or supporting them on their individual merits.

This package amendment was offered to the very first item in the bill. If it is defeated, we go back to that initial stage and read it through item by item.

You would think when you hear some of the arguments which have been advanced here that education today is dependent solely on Federal dollars for sustenance. But, I would remind you that Federal funds account for 11 percent of the total national expenditure for elementary and secondary education and

25 percent of the total expenditure for higher education.

I would also point out elementary and secondary enrollment increased about 17 percent from the fall of 1968 through 1970 and in those 2 years the total of State, local, and Federal funding increased by 20.6 percent. The per pupil expenditures during the same period of time went from \$786 to \$932—an 18-percent increase in 2 years.

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

Mr. MICHEL. I am happy to yield to the Chairman.

Mr. FLOOD. Mr. Chairman, this is the ranking Republican member of the subcommittee. I suggest that we listen quietly.

Mr. MICHEL. Proceeding further, in the field of higher education, from 1968 to 1970, higher education enrollment increased about 10 percent, but during that same period of time the total Federal, State, and local funding for higher education increased more than 23 percent. Per pupil expenditures went up from \$2,941 to \$3,278 or an 11.8-percent increase.

Now I would like to address myself to some of the individual items that the gentleman from Maine suggests ought to be increased in this particular bill.

Incidentally, who did put together this package amendment? I suspect it is no secret to anyone that the education lobby and the Emergency Committee for Full Funding meeting across the street one afternoon, as was previously alluded to, did so. I suggest those of us who sat for 6 weeks in these hearings listening to all of the witnesses have a little bit better idea about what the individual items ought to call for instead of someone coming in from outside and trying to tell us as Members of Congress what is best for education and the country.

This lobbying operation has misrepresented to many of your constituents what the real big issue is here.

To the land grant colleges the pressure has come for restoration of just a small item of \$5 million. To the vocational education people, the Hathaway amendment means more money for them in the amount of \$50 million and so on. To each of the groups the pitch is made for support of the amendment for what they would get out of it, but the big issue here is the total package of \$728 million. It is an outlandish overall increase, but let me go to the specifics and answer each item of proposed increase point by point.

The first item calls for a \$150 million increase for title I. Expenditures have in fact risen proportionately a much greater amount than the student enrollment and greater than the inflationary factor. We have had the gentleman from Minnesota (Mr. QUÉ) point out some of the problems that exist in title I. We have not yet completed our evaluation of that particular program. No assurances do we have yet that the dollars are achieving the purposes of the legislation. We have to get a better fix on the program before pouring more dollars into it.

Then we move on to supplementary services. The gentleman from Maine says we ought to have \$15 million more in

here and says that at an average cost per program supported of \$193,000 the committee bill would give us less than \$6 million or 50 new starts—one per State. The \$5 million add-on would permit three per State. What can you say to the argument that if one is good, then three are better? And, that is about the only argument for an increase available here. I suggest that what the committee has provided is sufficient.

Then, Mr. Chairman, on Library Resources, the gentleman from Maine says we ought to have another \$5 million. On what basis is the statement made that another \$5 million is needed just to maintain the program? The committee has already added what could be considered a cost-of-living increase which amounts to about 6.25 percent, which should be adequate to maintain the programs.

Mr. Chairman, I will not put the gentleman from Maine on the spot himself as to how he arrived at the particular figure.

Mr. PERKINS. Will the gentleman yield to me in order to tell him how that figure was arrived at?

Mr. MICHEL. I will yield to the gentleman when I complete my statement.

Now, take the third item of \$30 million, to be added to the item for equipment, materials and minor remodeling. Of course, there was nothing in the budget for this but your committee saw fit to add \$20 million.

However, there are a variety of other programs under which this particular equipment can be purchased. We know what will happen in the other body, and we have some problems in the conference on this one.

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

(By unanimous consent, Mr. MICHEL was allowed to proceed for 5 additional minutes.)

Mr. MICHEL. On the dropout provision, the gentleman from Maine adds \$1 million over the figure of \$10 million which is carried in our bill. But you know there are a number of other programs not so visibly marked as the dropout provision. Title I certainly cannot be ignored, as well as the supplementary centers, vocational work studies and cooperative education—all programs designed to cut down on dropouts. But, again, a little sweetener is thrown out with no real justification.

Then, Mr. Chairman, with reference to grants to the States for special projects. Why \$7 million? We have an increase of \$3¼ million in the bill and that figure is based upon the statements and testimony of the witnesses who appeared before the committee and the arguments we heard.

Then, Mr. Chairman, this Public Law 874—impact aid. It should be pointed out with this act, of course, Mr. HATHAWAY is talking about funding A and B categories at 90 percent. However, under the committee bill the A's with over 25 percent will get 100 percent and those A districts with less than 25 percent will get 90 percent funding and then, B's of course, will be scaled down to 68 percent.

I submit to you that what the package does for your A category with 25 percent

or more federally connected students—the real problem areas—is inadequate. And then the Hathaway amendments would provide \$75 million for districts with public housing. This is bad, for the money goes to the district, but in Peoria the school district covers the whole community. The most affluent areas in town conceivably could get in on the program simply because our having some public housing.

I say to you people who want to do something for the cities, that this is not the route to take. You have been the people who have been criticizing the impacted aid program as one of the worst programs on the books. However, now you are trying to go through the back door to get the money under that program for the cities. And to those of you who have a legitimate case for impacted aid, think about how you will be submerged later on for your legitimate needs if this thing gets expanded to include public housing?

For bona fide and legitimate impacted areas; yes, we have an obligation to fund those, but let us not get into the business of payments to districts with public housing.

Mr. Chairman, we are all for the handicapped. We increased this item by \$5 million in our bill. Mr. HATHAWAY says:

Well, let us shoot the works and add another \$5 million.

Why not \$10 million or \$20 million more.

Every Member on this floor can out-demagog one another on this one. Send the record back home, and tell the folks what a champion you are for the cause.

The committee increased these programs selectively by \$5 million. Further increases, especially of a blanket nature, could defeat the purpose of the program. The intent of Congress was to provide catalysts to bring about changes in our educational patterns in the field. The Federal commitment was never intended to be a total one in the sense of providing complete per-child cost of education and support. Go back and read the legislative history on this particular item. Programs developed to the limit are significant changes in the quality and effectiveness of much larger and more direct programs being conducted by State and local educational agencies. Models developed under these programs have already led several State legislatures to enact legislation to enable local agencies to claim funds for the multiple-handicapped children attending school, and assume high portions of the cost of special education, instruction, and materials.

Then of course for vocational education, to which the gentleman from Maine wants to add on another \$86 million. The budget came in at a far lower figure, and we saw fit to add to this item \$89 million for vocational education. Your subcommittee did that over what was submitted to us in the budget.

So I submit that we have done a good job there.

And for the Advisory Council on Vocational Education, the gentleman from Maine would add \$1.8 million. The add-

on would bring an amount for each council up to a nice, neat round figure of \$75,000 per. That is about the only justification for that kind of an increase.

Can these add-ons actually be justified? I wonder.

And then we come to adult education. The committee has \$55 million in the bill, and the gentleman from Maine would like to add on another \$35 million.

Why \$35 million? The gentleman says this increase is required to assure that there will be no reduction in funds below the 1971 level for some 17 States, but the figures he uses show a total reduction of about \$6 million.

For grants and work-study payments, the gentleman would add \$30 million above your committee recommendation, to help 57,000 more low-income students than would the committee bill. He overlooks the fact, however, that we also included in the bill an increase of \$288,000,000 over the budget estimate for NDEA student loans which would provide for 88,500 more loans than last year.

Funds for special programs for disadvantaged students would be increased by \$5 million by the gentleman's amendment because, he says, the cost of education has increased by 10 percent. I would just say to the gentleman from Maine that if he had sat in our subcommittee sessions and learned what we did about the problems in the Talent Search program especially, of evaluating the effectiveness of their projects and accounting for where their money is going and what results it is getting, he might have second thoughts about even continuing current program funds, much less adding more.

The goal of the Talent Search program is placement in postsecondary educational opportunities, but it was operated for 4 years without any solid evidence of actual placement in college of impoverished youth by the project contractors. In one project, cost per student was a phenomenal \$3,219 per student, and others ran \$1,212 per student, \$521 per student and \$686 per student, for example. It makes no sense to put more money into programs about which there are such fundamental unanswered questions as to their effectiveness and the results we are getting for our dollars. The need in education is too great to do this.

Strengthening developing institutions is a high priority program both with the administration and with your committee, as evidenced by the \$5 million increase sought in the budget and approved in the committee recommendation. Funds are targeted primarily on developing community colleges and black colleges. The gentleman would add \$52 million to this program, above that increase. He should note, however, that the objective here is to meet the need of these developing institutions through a variety of assistance programs, including particularly the student aid and subsidized construction loan programs, for which HEW is giving these institutions high priority. A \$52 million increase is simply not justified.

The gentleman suggests adding \$99 million for construction grants, but he overlooks the fact that your committee has made available some \$520 million

in subsidized loans for the same purpose. This new program of subsidized construction loans was authorized in the Higher Education Amendments of 1969, and the \$520 million annual loan volume level this program will finance for next year is much higher than budget constraints would allow through the direct loan program.

For university community services it is suggested that we add \$6.5 million. On what is this figure based? The \$9,500,000 provided in the committee bill will support an estimated 500 programs involving 555 institutions and 1,050,000 participants. It is expected that 25 more institutions and some 50,000 more people will participate in the programs in the next fiscal year under the funding provided by your committee. But, more important, this is another one of those programs on which we have serious questions as to how well and how effectively our dollars are being spent.

An additional \$8.4 million would be added to funds for college teacher fellowships under the gentleman's amendment, but I would just point out to him that the committee reduced this item because of the current surplus of college teachers in so many areas. The amount in the bill, however, will allow continuation of the program at a reasonable level.

I would like to discuss every item in more detail, Mr. Chairman, but in the interests of time I will mention just one more—libraries. Your committee feels the amounts provided in the bill are adequate and reasonable in light of current conditions. For public libraries we restored funds to the 1971 level. In the past several years both States and localities have consistently overmatched Federal funds for public library services and facilities. This indicates to us that State and local sources could be used to support these projects, freeing Federal funds to areas where there is an even greater need. As a result of the increased efforts over the last few years, there is now a surplus in librarians trained under the Librarian Training program of HEA-II-B, which is directed toward training at the graduate level. So, the funds in the bill are adjusted accordingly, leaving an amount adequate to continue the program at a level to meet the need.

One other point, Mr. Chairman, before I step down. I have heard quite a bit of concern expressed about the level of education appropriations in relation to the authorizations for the programs. It has been pointed out, for example, that our committee recommendation for last year was less than 40 percent of the authorization level, and that this year it is something less than 50 percent.

It is a natural mistake—and one that is often made—to assume that when a legislative committee authorizes x millions or billions of dollars for a program, there are good, solid reasons for doing so. Many people naturally assume that the authorization figure is based directly or indirectly on some measure of need. But, of course, we here in Congress know that this is rarely the case. As often as not, the authorization figures are simply pulled out of the air and have little relation to anything in the real world.

Time and again I have read and re-read committee reports and gone back to hearings in a vain effort to find some justification for an authorization level in a bill that is to come to the floor. I have made this point many times in the past and, unfortunately, will probably have to make it again many times in the future, for this is a problem which does not lend itself to easy or simple solution. It is directly related to the increasing difficulty Congress is having in obtaining and analyzing and interpreting all the relevant information needed to make sound policy and program decisions.

When the drug abuse bill came to the floor during the last Congress, for example, I raised the question as to how the Committee on Education and Labor determined its authorization figures for the measure. It appeared as though the \$7, \$10, and \$12 million figures authorized were merely pulled out of the air. I did not receive a satisfactory response, and frankly, did not really expect one. But now, those authorization figures, based on nothing in particular, may mistakenly be used as funding guidelines by sincere people who are interested in combating the drug problem.

At that time I said:

Today I am still concerned that authorizing committees prepare their cost analysis on a more rational basis so that when appropriating committees have to make their final determinations they have a reliable basis of information.

That statement is still valid—nothing has changed in the interim.

The whole point here is that whatever the level of need is in the field of education, the authorizations for education programs are not reliable indicators of that need, and to use them as a funding guideline is not only a relatively meaningless exercise, but can also be quite misleading. Reasonable men may disagree on what the appropriation for education programs should be to do the job that needs to be done, but the authorization level alone is not a sound basis from which to analyze the adequacy or inadequacy of education funding.

Mr. Chairman, I submit that this committee has done a good job in its selective increases in this bill, and that we ought to vote down the Hathaway package amendment, go ahead and read the bill and in orderly process make the individual amendments as Members see fit.

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

Mrs. ABZUG. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment offered by the gentleman from Maine (Mr. HATHAWAY).

There are many of us who have been in the midst of a very serious crisis for a good number of years. I say there are many of us, because I think it represents probably 80 percent of the population whose growing needs for assistance in the field of education, housing, health care, and jobs, have been systematically denied to them by the men who have been talking here about the billions of dollars we need to continue the war in Indochina, about the billions of dollars we need for better bombs, missiles,

nerve gasses and other such weapons of death and destruction. These men are not concerned with one of our most important priorities; namely, the better education of the young people in this country.

Mr. Chairman, it seems to me that this Congress can face no greater challenge than to increase our commitment of Federal tax dollars to the educational programs throughout this country, and it is, therefore, that I support this amendment.

Mr. Chairman, I particularly address myself to the funding of category C of the impact aid to federally affected areas program. This new category, which Congress authorized last year under Public Law 91-230, would compensate the schoolchildren who reside therein in low-rent public housing units. I note with great distress that this part of the amendment seeks to fund a program that has been completely ignored by the administration and by the Committee on Appropriations.

This is just another example of a distorted sense of priorities, and I think it is time we changed that. I think it is time that we listened to the cries of the generation that we have been talking about here today.

In many of our cities public housing units reflect a substantial portion of the homes of pupils. These public housing units are by law exempt from taxation. Furthermore, the admission criteria for public housing tend to guarantee that a large percentage of the children living in these public housing units will also be disadvantaged.

These children need and deserve greater educational efforts than those made by school systems on behalf of children who are not disadvantaged. The school districts that need the revenue from taxation because of the preponderance of these disadvantaged children within the district are ironically not getting the revenue for this very same reason.

About one-half of the cost of public school education is funded by local property taxes. Therefore, at an average national per pupil expenditure rate which now exceeds \$900, with each new public housing student school districts must raise \$450 from other sources in order to maintain a per pupil expenditure for all students in the district at the national average, an almost impossible burden in our current economic state.

Given some 22,000 public housing units under management and an average of 1.6 children per unit, there were approximately 1.35 million schoolchildren in public housing units last year. This figure is probably closer to 2 million this year. At 2 million students, the authorized level of 300 million would only provide \$150 per student—our public housing burden has been estimated to be over \$200 per pupil. This amendment asks for \$75 million or one-fourth of full entitlement. This would only provide \$40 per pupil yet it is a large improvement over the budget request which provided for no funding at all. I do not know why the administration has chosen to ignore even the results of its own study, the Battelle report, which grudgingly con-

ceded that the impact of public housing was somewhat less than \$100 per pupil.

At a time when almost every city in our Nation is experiencing an education fiscal crisis we must search for better ways in which to transfuse the much needed Federal money into the economically depressed school systems.

Unfortunately, this administration has not sensed the urgency of our need nor has the Appropriations Committee today. The President has ignored and chosen not to support a much needed appropriation which will prove to be of unquestionable benefit to the entire Nation—suburban and rural as well as urban districts.

I might add that this is not only a big city program. Over 3,000 communities in all of the 50 States have public housing. I am sure that many of my colleagues from suburban and rural areas know that the growth rate of public housing is on the increase. The report of the 1970 census would indicate that suburban public housing will continue to expand during this decade.

The CHAIRMAN. The time of the gentlewoman from New York (Mrs. ABZUG) has expired.

(Mrs. ABZUG (at the request of Mr. PUCINSKI) was granted permission to proceed for 3 additional minutes.)

Mrs. ABZUG. I thank my colleague.

Mr. Chairman, by voting for this program today my colleagues in suburban and rural districts will avoid the school crunch which you may otherwise soon fall victim to as your tax rolls are squeezed to the breaking point.

Mr. Chairman, today we are confronted with a clear mandate and an increasingly serious problem. If this appropriations amendment is defeated, our districts and our constituents will be forced to choose between public housing for a few and an adequate level of education for all.

We have been confronted with too many crises with regard to the question of education in New York and in other cities we find that we cannot continue unless we get assistance out of our own tax dollars. This great legislative body has the power to commit the resources of the Nation for the needs of the young people of this Nation. This is a commitment we all have.

The passage of the amendment, will bear witness to our commitment to imaginatively confront urban problems and to guarantee quality education and housing for that segment of our society which traditionally has had the worst of both.

Finally, Mr. Chairman, I am concerned that this Congress give sufficient recognition to the very special educational needs of many children of limited English-speaking ability in the United States—children who are seriously handicapped by their bilingualism—children who are unable to get the head start in life they need in order to succeed because they speak another language. I am afraid, Mr. Chairman, that the President in initially asking for \$25 million and the Appropriations Committee in recommending \$2 million in additional funds for bilingual education, have not given the recognition at all

commensurate with the urgent need of so many children. Given the rising cost of education, we must significantly increase our present commitment to the fight of Chicanos, Puerto Ricans, American Indians, and other language minorities for equality of educational opportunity.

A much larger sum is necessary to make the substantial impact on bilingual education which is so badly needed and in order to begin to fulfill our commitment to make the promises of education available to all children regardless of language. I urge the other body to recognize the need for bilingual education and to greatly augment the administration recommended appropriation.

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

Mrs. ABZUG. I yield to the gentleman.

Mr. PUCINSKI. Mr. Chairman, the gentlewoman from New York has made a very important point. I would like my colleagues to understand one thing—this is not a big-city amendment. Sixty-five percent of the money out of this appropriation would go into rural communities of America where the need is most urgent. Sixty-five percent of all the public housing in this country is in the rural areas and not in the big cities, as the gentlewoman has underscored.

Mrs. MINK. Mr. Chairman, I rise in support of the Hathaway amendment, and do so not for the purpose of reiterating ground that we have plowed over these many years in discussing education matters—and on many occasions I have taken to the floor to defend increased appropriations for the impact program—but to specifically clarify some of the statements that have been made this afternoon with respect to the committee's action with regard to the impact program. I believe that there is a misunderstanding by many Members whose school districts depend upon the impact program to provide them with the necessary funding for the education of their children that because the dollar figure which the committee reported for this program is larger than the dollar figure which was appropriated for the total needs of this program in the last fiscal year, that this necessarily means that the status quo, at least, or that even additional dollars might be provided for your school districts.

This is absolutely false. If you will look at the precise figures that were allocated in the fiscal year 1971, you will see that what we did in that appropriation bill was to take care of 80 percent of the funding of the impact program. Even though the generosity of the Appropriations Committee came up with an additional \$23 million because, as the distinguished ranking Republican member pointed out to us, the cost of education has increased, and the per pupil expenditure of the programs has increased, the \$23 million additional dollars provided by the Appropriations Committee still represents a cut of the percentage of funding of this program of our school districts to 75 percent. It represents a 5-percent cut which our school districts are going to have to absorb.

We have all heard this afternoon about the crisis in education. Many of us, I firmly believe, are dedicated to the notion that education is an important responsibility of our Government. But I think that many of us are out of touch with reality. We no longer have children in the elementary and secondary schools. We do not know the conditions under which they are being expected to learn in our classrooms today.

Any wonder that even the President has cited in the message which he presented to the Congress yesterday that we must do more to make sure that our children learn, and it certainly is incumbent upon us to recognize this today.

I speak for the children who are in the 2,000 school districts that are most affected by the impact program, and plead with you to support the Hathaway amendment, because if you do not, you will be cutting your school appropriations and each one will have to assume that responsibility.

The other point about our fiscal crisis I think we have to put in proper perspective. Remember, the President has said he has found \$6 billion of free money to give back to our school districts and to our State governments. Where is this money going to come from when we have not even been able to fund the programs to their lawful authorization? This is not competition between the brainpower in the Appropriations Committee and the brainpower in the Education Committee. We have both diligently done our homework. It has been the decision of the Congress, the House and the Senate, that we must spend at a certain level for each of these programs and we have failed miserably.

So I plead with you today, for the children of America, for the school districts that you represent, that the very least you can do is to support the Hathaway amendment and provide our school districts with the stability that we all believe we are required to provide.

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

Mrs. MINK. I yield to the gentleman from Indiana.

Mr. BRADEMAS. I thank the gentleman.

Mr. Chairman, I wish to congratulate warmly the gentleman from Hawaii on the splendid statement which she has been making, and express the hope that the Committee will give its strong support to the amendment offered by the gentleman from Maine (Mr. HATHAWAY) who has had the unique experience now of having served for some years on the Committee on Education and Labor before going over to the Committee on Appropriations.

It does seem to me, Mr. Chairman, at a time when we are talking so much about revenue sharing, that the Hathaway amendment provides an opportunity to share, in a thoughtful, intelligent, and appropriate way, additional revenues with hard-pressed schools, colleges, universities, and other educational institutions throughout our country.

Now, Mr. Chairman, I have alluded to hard-pressed colleges and universities.

Let me take advantage of the oppor-

tunity afforded by the debate today on this education appropriations bill to observe that yesterday, a group of eight Members of the House, led by the distinguished chairman of the Special Education Subcommittee (Mrs. GREEN), introduced a major bill aimed at providing much needed assistance to our colleges and universities and to the students who attend them.

I was very pleased, Mr. Chairman, to join as a cosponsor of the Higher Education Act of 1971 because I believe this bill contains a number of provisions that are highly desirable from the viewpoint of the interests of higher education and of the national interest as well.

Let me here reiterate, Mr. Chairman, that many colleges and universities in the United States are facing a grave fiscal crisis. Likewise, the constantly rising cost of living has made it ever more difficult for many families to send their children to college.

Unfortunately, the Nixon administration's response to these problems has been woefully inadequate. The administration would restrict Federal student assistance to the most needy students, and would provide virtually no aid to institutions.

In contrast, the Higher Education Act of 1971 would extend all existing higher education programs for 5 years, including authority for building academic facilities.

It would continue to provide Federal assistance to all students in need, including those from middle-income families.

And it would add a brand new and highly significant program of institutional grants to both public and private colleges and universities, with special provisions for smaller institutions.

So for all these reasons, Mr. Chairman, I hope our committee acts expeditiously on this legislation.

Let me add that I am sure members of our committee on both sides of the aisle will have valuable suggestions for improving and strengthening the legislation during subcommittee and full committee consideration.

Indeed, I can think of several provisions in the bill which will require careful scrutiny and modification if the bill is to be effective in helping meet the pressing needs of our colleges and universities and to insure that all students, whatever their economic circumstances, have access to a quality education.

In this connection, I am glad to be able to say that the distinguished ranking minority member of the full Committee on Education and Labor (Mr. QUINCY) has, in several conversations with me, expressed his own strong desire to work to fashion a higher education bill which will win the support of both Democrats and Republicans in Congress.

Mr. WILLIAMS. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

I oppose the Hathaway amendment, and I support the committee bill H.R. 7016.

We have heard some statements here today that if we do not believe the great need we have in our school districts, we should just call our local superintendent

of schools or just call our local educational institutions, and they will tell us all about the need. I say to Members that this is just about as practical as calling the President of the Penn Central Railroad to find out what the Penn Central Railroad needs, or calling the president of any one of the other railroads, and we will get a long list, as long as our arm, about what they would like the Federal Government to do for them. Actually, they can do these things for themselves.

I have heard a great deal of talk here about a crisis in education. In my opinion there is no crisis in education except that which has been caused by the local school districts. In my congressional district I have one particular school district that has just completed a two-story addition, and leading from the first floor to the second floor is a stairway that cost \$60,000. It would have been cheaper to put in an escalator. I can tell Members about other facilities that have gone into that addition that are just as expensive and contain just as many frills.

Why all this discussion about the big shortage of money on the part of the local school districts? In my hometown of Springfield, Pa., my real estate taxes on my home have more than doubled in the last 6 years, and most of that increase has gone to the school district. In addition to that, the school district has another 30-percent increase in tax revenue due to new construction.

I would say this: I think school taxes have increased from 75 to 100 percent all over this country, and every county in the country. They do have enough income and they do have enough means to raise additional income.

I get a little tired of hearing about the closing of schools and dropouts and the low-quality education in the inner-city schools. I say these are problems that are not going to be solved with Federal money. What we need is more responsibility on the part of the local school districts, and especially we need to strengthen the family units so that dropouts will diminish, and we will have fewer physical attacks on the school-teachers in those schools I have heard so much about.

In the 1968-69 school year in one major metropolitan school area immediately adjacent to my district, there were 5,000 physical assaults on schoolteachers. How do people expect to keep teachers under that type of situation? Federal money is not going to solve that problem.

A previous speaker said 75 percent of the libraries in this country do not meet the standards. The standards he was talking about were developed by someone like the American Association of Librarians. I have seen the standards. I have participated in the construction of libraries, and to meet these standards is almost impossible. Therefore, that statement is totally invalid.

I have heard the statement here this afternoon that we are firing schoolteachers. The fact of the matter is we have fewer school students in the United States today than we have been having. One school district in my congressional district is graduating a class of approximately 530 seniors from the 12th grade

and enrolling approximately 300 students in the first grade next September.

The size of the classes in between are steadily declining. Incidentally, in the school district I am talking about, the average class size is under 25 students per class.

I have heard talk here about impact aid. I believe impact aid is a total fallacy. We have all kinds of Federal installations shoring up the economy of various parts of our country. I would rather have those jobs, with people buying homes and paying real estate taxes, and really aiding the economy of the area.

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

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

Mr. WILLIAMS. Mr. Chairman, on top of all these economic benefits we are giving them a carrot in the form of impact aid.

I have heard talk here today about housing, highways, health care, and all that sort of thing. I want the Members to know we are spending more total tax dollars—more total tax dollars—on education than we are spending on housing, highway, missiles, the war in South Vietnam or anything else in this country, with the possible exception of the total defense budget.

The committee bill very wisely provided more Federal money for education than ever before from the Federal Government. I urge Members to vote down the Hathaway amendment and to support the committee bill.

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

Mr. WILLIAMS. I yield to the gentleman from Kentucky.

Mr. PERKINS. Let me say to my distinguished colleague I very much believe strengthening the family unit, to the degree the gentleman believes in that philosophy. I disagree with his statement that the local educational agencies are not in trouble.

In fact, a recent survey of some 20,000 local educational agencies showed that 95 percent state they are in financial trouble at all levels; that is, in the metropolitan, rural, and middle class and everywhere.

If the gentleman does not believe that the elementary and secondary schools are in trouble, does he feel we are in trouble at the higher education level, where we have placed in this bill \$94 million, when there is nothing in the committee bill? What does the gentleman think about that \$94 million for college facilities?

Mr. WILLIAMS. In respect to the first statement, I have already covered that, when I said going to educators or going to educational institutions and asking them for information is just like going to the president of the Penn Central to find out what the Penn Central Railroad needs.

Mr. PERKINS. I heard the gentleman make that statement.

Mr. WILLIAMS. So far as higher education is concerned, there is more money available today in the way of scholarships and student loans than

ever before, and we have made it easier for people to go to college than ever before in the history of this country. I do not believe we need more aid to higher education. The fact of the matter is that the difficulties on our campuses today are due largely to the fact that people are going to colleges federally subsidized, subsidized with tax money, who are not truly interested in getting an education. This has produced the conditions on our campuses today.

Mr. THOMSON of Wisconsin. Mr. Chairman, I have always favored expenditure of public funds to assure a high quality of education at every level. I support H.R. 7016, the 1972 appropriation for the Office of Education, as recommended by the Committee on Appropriations. I feel, however, that the cause of public education could be even better served by additional expenditures in four areas: Title I, ESEA, aid to disadvantaged elementary and secondary school students; improved library facilities to further progress toward the nationwide goal of a "right to read"; title VI, Higher Education Act, funds to acquire instructional equipment; and vocational and technical education assistance to offer a more productive alternative strategy for advanced education than our universities provide for many of our high school graduates.

I am, therefore, in favor of spending more money for education than recommended by the Committee on Appropriations and intend to use my vote to influence increased emphasis on the above listed programs to benefit elementary and secondary schools, libraries, colleges and universities, and vocational-technical schools.

In good conscience, however, I cannot support such an ill-justified and scattergun approach as advocated in the so-called Hathaway amendment. It is not good policymaking to merely rubber-stamp any proposal; a critical examination of its merits is clearly required. I can find no solid justification for an increased Federal role presented by advocates of the proposed \$728.6 million addition and I will vote against this hastily conceived amendment.

The Congress today sits like a local school board in judgment of proposals delivered by the education establishment. Like the local school board members, we know that our resources are not inexhaustible, our taxpayers' pockets are more empty than full.

A quality education must guarantee every young citizen literacy and proficiency in personal skills. My support of H.R. 7016 assures an adequate Federal role in this process which has traditionally been a local responsibility.

Everyone is familiar with the election-year rankings on the various issues produced by lobby groups. They purport to tell who is for this or against that. They, of necessity, oversimplify and distort in their effect and often do a disservice to those who depend on them. Consider a ranking on support for education. Is a Representative necessarily more for education if he votes to let education administrators have everything they want, no questions asked? That is what the

rankings compute, on education and other related issues. The lobby judges whether the Congressman accedes to their submitted request, nothing more.

To use an analogy, the taxpayer-voter is like the pre-Ralph Nader consumer, an unprotected babe in the marketplace confronted with conspiracies of big business, big labor, and big government. The taxpayer-voter wants his money well spent, but he will find no "truth-in-ranking" among the lobby pre-election listings. To the lobby, the Congressman who irresponsibly endorses the lobby's request emerges the good guy, while the Representative who really does his job by critically examining each request and eliminating the almost-automatic padding will always fall short of the ideal and be rated at the bottom, against—you name it.

Support of education should not be confused with currying favor with self-interested education lobbyists.

Mr. BADILLO. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, at the beginning of this Congress I fought vigorously and successfully to be transferred from the Committee on Agriculture to the Committee on Education and Labor. It is becoming clear today that that was a very small victory indeed, because not only does a freshman member of the Committee on Education and Labor have no influence, but also it seems that even the influence of the chairman of the committee is limited.

The chairman of the committee, Mr. PERKINS, and the chairmen of the subcommittees, Mr. PUCINSKI and Mr. BRADEMAS, have spelled out the need not just for an additional \$700 million plus but for additional millions of dollars beyond that, not today and not last Sunday, but they have spelled it out week after week in the CONGRESSIONAL RECORD and in public hearings.

As Chairman PERKINS indicated, from time to time he deliberately reports to you precisely how every one of the programs that we have approved has been underfunded. I can tell you that I have attended public hearings since January where witness after witness documented the need.

This package was not cooked up this Sunday. This package goes back to the bills that previous Congresses have passed. The very Members who are now opposing the addition of several hundred million dollars were the same Members, in many instances, who voted for an authorization in a much larger amount. The problem is not just in cases where there is an authorization and then the Committee on Appropriations cuts it down by 50 or 55 or 60 percent. We have cases where the Congress even passes legislation and then they refuse to fund it altogether. I want to refer particularly to the public housing program, which is an example of precisely that. The bill was authorized and the program was authorized, but no money has been requested and no money has been appropriated. The importance of funding the \$75 million for public housing as proposed by the amendment is that unless we recognize that the programs of public

housing have to be approached from the point of view of total community development, we are not doing anything at all. Public housing by itself does not build a total community. Indeed, it may build the opposite. It is only if you provide other facilities—if you provide for schools, libraries, parks, and for the facilities that make for a total community life—that you can have a meaningful community development. That is what the President himself said in his other revenue-sharing proposals when he spoke of community development. So when we seek to include \$75 million for public housing, it is in recognition of the fact that the problems of education, the problems of housing, and the problems of the total community cannot be separated.

WITH RESPECT TO FUNDS UNDER TITLE I

In the current year, New York schools are actually receiving only 46 percent of the funds authorized—\$131,896,631.80 out of an authorized maximum of \$278,290,647.36. Schools in the Bronx, which represents the largest single portion of my triborough congressional district, are receiving slightly over \$35 million in title I funds compared with \$74.3 million authorized while schools in Manhattan are receiving \$27 million out of an authorized \$56.9 million and schools in Queens are receiving \$9.5 million out of an authorized \$20.1 million.

The \$150-million increase proposed in title I appropriations by the Hathaway amendment will obviously not bring the total appropriation up to the authorized level but it represents a significant improvement of obvious benefit to the hard-pressed schools of New York.

Another area of particular concern to me, Mr. Speaker, is the tragically low level of appropriations under the Library Services and Construction Act, truly one of the landmark programs enacted during the 1960's. It is shocking that almost 10 million Americans still have no library service whatsoever. Some 300 towns in the United States actually have library buildings planned and need Federal assistance desperately if those plans are ever to get off the drawing board. Many of the construction projects awaiting this appropriation are to bring library services to inner-city areas. The \$14-million add-on for titles I and III and the \$2-million increase for title II are welcome and necessary. They deserve the full support of our colleagues.

Finally, Mr. Chairman, I want to comment on a program which unfortunately has been overlooked in connection with this appropriation bill. I refer to title VII of the Elementary and Secondary Education Act, which provides assistance for bilingual education programs.

For the current fiscal year, Congress has authorized \$80 million for bilingual education and, even if this amount had been appropriated, it would not have begun to meet the needs which exist among the more than 3 million non-English-speaking school-age children in this country. The \$25 million that was appropriated keeps bilingual education to basically a pilot program basis and this clearly was not the intent of Congress in enacting title VII. Even within that appropriation, the Office of Education has

established seriously distorted funding priorities which have discriminated against New York in the past and which continue to do so in the new fiscal year.

It is not surprising, though hardly justifiable, that the administration chose to fund bilingual education in the new fiscal year at current levels, and the \$2 million added by the Appropriations Committee represents no more than a recognition of inflationary cost increases. It presents a tragic-comic disparity with the \$100 million authorization for fiscal 1972.

I have discussed with a number of my colleagues, including the chairman of the Committee on Education and Labor, the possibility of further amending the Hathaway amendment to increase funds for bilingual education. It was decided, wisely I believe, not to make such an effort at this time in view of the complicated situation facing us.

However, it is our hope and our intention to seek a substantial increase in bilingual education funds when this legislation comes before the Senate Appropriations Committee and I would hope that ultimately the House Members on the conference committee will agree to a higher figure for title VII.

I want my colleagues to be aware of the fact that in New York State alone, there are about 300,000 Spanish-speaking children in prekindergarten through 12th grade and almost all of them are in New York City. The gap between authorization and appropriation for bilingual education is an unforgivable neglect of the needs of these children. It is a responsibility for which both Congress and the administration must be held accountable.

Mr. SCHEUER, Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, the prior speaker from the Republican side, the gentleman from Pennsylvania, told us that we should not listen to the school administrators of America and the elected boards of education that support them and appoint them in the 18,000 local education agencies of our country, because if we listen to them, it is just like asking the board of directors or the president of Penn Central what he needs. If we do not listen to the local education agency spokesmen and the elected officials who put them where they are, then to whom shall we listen? What is the voice of American education if not the parents and the local boards of education and the local administrators whom the boards appoint? Where are we to get our information from if not there?

When we want to know what the Department of Defense needs for next year, we do not go to citizens groups, but we go to the Defense Department and listen to them. Sometimes we listen to them too much, but we certainly listen. When Boeing Aircraft Co. is in trouble, whom do we go to to find out what they need to bail them out of a tremendous cost overrun? We go to Boeing. I fail to see why we cannot and I fail to see why we must not listen and listen hard to the people who are administering our local school systems. If there is any integrity whatsoever to local control of education and local design of education, we must listen to the people who are controlling

education in our country and who are elected by middle-class America and who are in turn appointing the administrators of our education system.

And, the fact is that education in this country is in a crisis and the fact is that it is just not a crisis of the big cities and education for the poor. It is a crisis in education for everyone.

Mr. Chairman, the cost of education has increased in the last 5 years at the rate of about 10 percent per year in the cities, hamlets, and villages across the length and breadth of America which are now dying on the vine. They are suffering eroding tax bases and revenue as well as inflation and increased cost of education. They are also suffering from the impact of an increased student enrollment.

I suggest to you that it is not a problem of the poor; it is not a problem of the blacks or a problem of the Puerto Ricans. It is not a problem of the big cities. This is a problem of America and we had better listen to the voice of the people of America, the 18,000 locally elected agencies which operate our school system.

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

Mr. SCHEUER, I yield to the gentleman from Pennsylvania.

Mr. WILLIAMS, First of all the gentleman from New York just concluded by saying that we had better listen to the voice of America. I assume that the gentleman represents somewhere between 425,000 and 450,000 people.

Mr. SCHEUER, Yes; but may I suggest to my colleague that virtually every single organized education group in this country is supporting this add-on legislative package.

Mr. WILLIAMS, Mr. Chairman, if the gentleman will yield further, I would suggest that the gentleman had better listen to the voice of America which is the voice of the people the gentleman represents and not an interest which could be construed as a special interest group.

I have heard the gentleman refer to the fact that when we need information with reference to defense matters, we go to the Department of Defense.

I would like to suggest to the gentleman that based upon some of the votes which the gentleman has cast, the gentleman does not listen to the Department of Defense.

When the gentleman refers to the overrun on the Boeing SST, I think the gentleman is using an incorrect term. I do not think there is any overrun on the two prototypes of the SST.

Mr. SCHEUER, No; there has not been any overrun on the SST and I was not directing my remarks at that program. The Congress voted to close down the program, and the consequent costs are certainly no fault of Boeing's.

Mr. WILLIAMS, I voted for the SST and I received no statement or information from the Department of Transportation or from Boeing. I investigated the project and I was convinced the Federal Government was going to get its money back, and I took exception to the statement that the SST was a sort of

WPA project. The fact of the matter is that the aerospace industry in this country has paid billions of dollars in taxes and has provided jobs for hundreds of thousands of people.

Mr. SCHEUER. The gentleman is correct in that statement but I would make the prognostication that in the long term we are going to be short of aircraft maintenance workers for the air travel and this will be true of all of the airlines. I am wondering where we are going to get our trained manpower from. They are going to have to come from an educated America. If we do not educate the youth of America today, if we insist on stretching out and thinning out the quality of American education, I suggest that our private enterprise system will be in serious trouble because it depends upon trained manpower which only first-rate education produces.

Mr. WILLIAMS. Mr. Chairman, if the gentleman will yield further, I would like to suggest that there is no shortage of trained personnel in the aerospace industry. There are approximately 40,000 of them now unemployed in the State of Washington.

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

Mr. Chairman, the Hathaway amendment offers us an opportunity to set priorities and to recognize the education crisis which confronts our Nation. It should be supported, and I will discuss its components later on in the debate.

Now I should like to discuss a very critical area of educational need which has not been sufficiently met either by the committee bill or by the Hathaway amendment, and that is the area of bilingual education which is underfunded in the committee bill by some 73 percent.

The fiscal year 1972 authorization is for \$100 million. The administration's budget request was \$25 million—the same as the fiscal year 1972 appropriation. The committee bill recommends \$27 million, which will hardly make it possible to continue the programs which have already been started in the last fiscal year because of the impact of inflation on these programs. It is essential that funding for bilingual education be substantially increased. If the House does not increase the appropriations, then I urge the Senate to do so. The distinguished chairman of the House Committee on Education and Labor has assured me of his support for our efforts to obtain increased funding.

Ours is a nation two of whose premises are, first, the stress on education as a means for every child to learn and advance himself, and, second, the stress on maintaining cultural, heritage and identity. The bilingual education program—title VII of the Elementary and Secondary Education Act—combines both of these premises. Of particular importance in New York City to our Spanish-speaking citizens, this program seeks to facilitate the educational opportunities of our children for whom English is a second language, while maintaining their pride in the language of their birth.

There are more than 3 million non-English-speaking school-age children in

this country. In New York State alone there are approximately 300,000 Spanish-surnamed children in prekindergarten through 12th grade. New York City accounts for most of them. These youngsters constitute more than 22 percent of the schoolchildren in New York City. And their percentage is rising.

The bilingual education program has received \$25 million for fiscal year 1971. This is \$55 million below the amount which could be appropriated, were the Congress to meet the fully authorized amount.

As I said, the fiscal year 1972 authorization is \$100 million. Yet the bill before us, H.R. 7016, appropriates only \$27 million—a gap of \$73 million.

The truth of the matter is that this funding level is not sufficient to meet the educational needs of our children. We cannot teach our students with empty words and yesterday's promises. It takes money.

Further, there has been a shocking inequity in the distribution of funds under the bilingual education program. The 1970 obligations under this program for New York State were \$1,494,059; California, \$7,231,886; Texas, \$4,791,481. Match those allocations against the approximate number of Spanish-surnamed children in school in these States: New York, 300,000; California, 500,000; Texas, 600,000.

To complicate this existing inequity even further, the Office of Education has proposed to use three new priorities in funding bilingual education. According to a December 23, 1970, memorandum to chief State school officers from Thomas J. Burns, Acting Commissioner of Elementary and Secondary Education, these new priorities are as follows:

First, school districts with a high concentration of migrants;

Second, school districts with a high concentration of Spanish-speaking children that are in the process of desegregating; and

Third, school districts with a high concentration of Indians.

It seems clear that these priorities will aggravate even further the unfairness in allocating funds so urgently needed for bilingual education in New York.

In meetings with the New York congressional delegation, the Office of Education has conceded that New York State and New York City have been short-changed in the past in the allocations of bilingual funds. This inequity must be remedied.

For the sake of our Nation's Spanish-speaking children, as well as other bilingual schoolchildren, the program should be fully funded.

I include at this point in the RECORD an editorial from *El Diario-La Prensa*:

#### BILINGUAL EDUCATION NEEDS MONEY

Children sitting at the school, idling their time away and learning nothing, are not going to be the citizens of tomorrow whom we will be proud of. These idle children are not learning because they have little or no knowledge of the English language. The fault is not theirs, but of our authorities who have failed to provide enough money for bi-lingual education.

The fight for bi-lingual education has been a long one and *El Diario-La Prensa* has been

on the forefront of it since its very beginning. It is true that we attained a substantial victory when the Bi-lingual Education Act was enacted. This victory has failed, however, to produce the sought after results because Congress has not allocated the necessary funds.

The Bi-lingual Education Program has received \$25-million for fiscal year 1971. This is \$55-million below the amount which could be appropriated, were Congress to meet the fully authorized amount.

For fiscal year 1972 the administration has again requested \$25-million for the program. Since \$100-million is authorized for 1972, this marks a gap of \$75-million between the rhetoric of authorization levels and the reality of actual monies appropriated.

If we consider that bi-lingual education is needed not only in New York but in many other states with a total of over ten million Spanish speaking inhabitants, it is easy to realize that even \$100-million will not be enough.

Pointing out the need to increase to its full authorized amount the appropriation for bilingual education, Representative William F. Ryan (D-N.Y.) called to the attention of the House a just published study by the Committee for Economic Development entitled "Education for the Urban Disadvantaged."

The study said: "While the American schools have generally provided middle and upper income youth with the intellectual tools necessary for success in our society, they have commonly failed to cope effectively with the task of educating the disadvantaged youth in our urban centers. To an alarming extent, they have simply swept disadvantaged youth under the educational rug."

Mr. Ryan pointed out that the Bi-lingual Education Program is part of the answer to the above "devastating, accurate indictment."

"Why then is there so little money for the program? How many times do we have to hear of the sorry state of education and of the tragic plight of our disadvantaged children before action will be taken?"—Mr. Ryan asked.

In New York City we have a couple of pilot programs that are living proof of the success of bi-lingual education. These, however, are not enough. The said truth was stated by Dr. Bernard Friedman, Superintendent of District 7, who, speaking with a reporter of the *New York Times*, said: "Although we had many good teachers and programs in the schools of the district, we found that virtually thousands of children were just sitting in classrooms with no real accumulation of sequential structured instruction, because they did not understand English. We had to get the bi-lingual concept."

All congressmen with large percentage of Spanish speaking citizens should back Mr. Ryan's bill—H.R. 1589—which appropriates an additional \$55-million for fiscal year 1971 for the Bi-lingual Education Program. This is a basic first step, then we can all start fighting for a bigger appropriation on fiscal 1972.

Mr. PUCINSKI. Mr. Chairman, would the gentleman yield?

Mr. RYAN. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Chairman, I think the gentleman from New York makes a very important point, but I believe it is also important to point out that at this stage, with 18,000 school districts in this country faced with economic disaster, they are not looking to where the money is coming from because they need the money so urgently. And I would just

like to remind the House of what I said earlier; there are many schools around this country threatened with disaccreditation because they have had to curtail essential educational services beyond acceptable norms. They have had to eliminate many of the services, they have had to reduce their faculties, they have had to reduce the number of teachers available, they have had to increase the class size beyond the limits of that accepted by the North Central Association, so I am telling my colleagues that school districts all over this country are faced with disaccreditation, or will be faced with disaccreditation if they continue to provide less than the minimum services necessary. Young people who will not be able to enroll in college because their high school diplomas are invalid will not ask who failed them, the local government, the State government or the Federal Government. They will be disillusioned with all government for having failed them.

For that reason I strongly urge the adoption of this amendment.

Mr. KOCH. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment offered by the gentleman from Maine (Mr. HATHAWAY).

Mr. Chairman, I urge the passage of the Hathaway amendment to add \$728 million to the education appropriation for a number of reasons.

We have heard the figures in this bill bantered about until the millions and billions and monetary amounts blur in our minds.

I think we can bring these figures into sharp perspective by comparing our promises with our performance. When authorizing legislation for education programs was before the House, we pledged \$13.5 billion to this cause. Now that it is time to put substance into our words, we find ourselves appropriating \$4.77 billion, or 35 percent of that amount for these same programs.

The committee recommendations for individual programs are almost identical to 1971 appropriations. Although the administration denies that this represents a decrease in funding, we should remember that inflation raises the cost of teachers' and professionals' salaries, construction materials, and building sites. For many programs, the funds provided in the Hathaway amendment do not represent an absolute increase, but will only serve to combat inflation.

The need for these funds has been stated most eloquently by a number of my constituents. One, the director of a clinic, writes:

Our child guidance clinic has been unable to obtain trained staff in sufficient numbers to meet the demands on us for service. Disturbed children in the school system are excluded, truant or drop-out.

A mother of a deaf child attending a federally aided school for the deaf wrote to me:

It is only through the school's fine educational program that our daughter will become an independent and contributing member of our society.

A teacher of handicapped children adds:

Without the work that my colleagues and I are doing, these children would probably buckle under their severe handicap and become added statistics on the welfare rolls.

We need to look at these funds in human terms and to remember that we are making the wisest investment possible—in our country's children.

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

Mr. Chairman, "Upon what meat do these our Ceasars feed that they have become so powerful?"

I have seen this cast of characters, like a road show, year after year after year. My friend, the gentleman from Maine (Mr. HATHAWAY) in his first year on the Committee on Appropriations—aye, aye, aye. And at the full committee, Mr. Chairman, when your subcommittee reported, he sat there silent, not a word, not a sound, simply charming. That was last week. And then something funny happened on the way to the forum, and now we have this thing. This thing appeared about 5 minutes of 11, 5 pages. I did not read it. Did you? Of course not.

Now, the subject has been exhausted and so have the Members. I suggest that the Hathaway amendment be voted down.

Mr. BARRETT. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Maine. I first, however, want to commend my colleague from Pennsylvania (Mr. FLOOD), the chairman of the Subcommittee on Labor-HEW Appropriation, and the members of the subcommittee for presenting this legislation to us early in the congressional year. Their diligent efforts should allow for the enactment into law of the measure prior to July 1, 1971, which in turn will allow local school authorities to prepare for the school year commencing in the fall of 1971.

The bill before us would appropriate approximately \$4.8 billion for education programs administered by the Office of Education. This sum, unfortunately, is short of what is needed to meet the crisis confronting education programs, even though it surpasses the President's request by \$101 million. The proposed amendment would increase the committee bill by about \$729 million. Regardless of the arguments made against adoption of this amendment, it is a simple fact that the funds are needed to restore programs to fiscal 1971 levels of funding, to make a minimum provision for increased enrollment and increased costs of education, and to initiate urgently needed educational programs.

The Nation must, and we here in Congress must, face up to the problem of rising educational costs. This is a fact of life and one which we cannot alter. It is a situation which we must face now; we cannot put off until tomorrow for the future of this Nation and our society rests on decisions here today. The future will depend upon the success of our efforts to prepare today's youth to meet the social, economic, and political problems of the next two decades. As I have said so often, the future of America rests with her most precious possession: her youth.

Preparing our youth for the task ahead means providing the proper edu-

cation. This preparation will be severely affected if it is obtained in overcrowded classrooms and underfunded programs. And it will be fatally affected if we are forced to slam the school door shut in the face of an inquiring youngster. The loss of educational services in the early years of the life of a child can never be effectively recovered. We cannot erase our neglect and go back and supply the deficiencies in educational services that should have been supplied in that year in that person's life. That is why the bill we are considering today is so crucial and the funds to be added by the proposed amendment are so vital to our fulfilling our responsibilities.

Mr. Chairman, I most strongly urge my colleagues to support the proposal offered by the gentleman from Maine.

Mr. FRENZEL. Mr. Chairman, H.R. 7016, a nearly \$5-billion education spending bill, is a complicated proposition. It includes literally dozens of programs, many of them glaring examples of the grantmanship game.

The Hathaway amendment would add \$728 million of spending. H.R. 7016 came from the committee \$100 million in excess of the budget recommendation and slightly in excess of last year's appropriation.

The Appropriations Subcommittee has labored manfully to produce this bill before the fiscal year begins. Hopefully, this will give educators a chance to plan for use of funds in advance. Many of us, including myself, while applauding the committee's diligence, have been and continue to be dissatisfied with programs and program structure which are represented in this bill.

Impact aid, for instance, is a worthy concept which has been warped into an education porkbarrel. Other grant programs, noble in intention, also apparently failed to have a demonstrable effect on the quality or equality of education, at least, in my area.

Federal aid to education, because of our programs, simply does not live up to its promise. It does good things, of course, but its impact on education enhancement is not proportional to the dollar invested. Our school districts need discretionary money. So do our colleges. This bill will help, of course, but the pity is that we are not doing anything here but updating the financing of the same tired programs.

The Hathaway amendment, in my judgment, represents simply another congressional affirmation of the frequently invalid theory that more Federal dollars always equals better programs.

It has been said here today that the amendment was invented last Sunday. I hope it was drawn more carefully than that, but be that as it may, it is a pretty complicated piece of legislation to adopt in the Committee of the Whole. There is no way in the world that we can write a careful three-quarters of a billion-dollar education appropriation under the 5-minute rule. No one can tell us where the extra money will really go and what good it will do. We are told by one Member that New York will get 8 percent of it. We are told by another Member that the rural areas will get two-thirds of it. But we really do not know.

I have received many communications from educators in support of the Hathaway amendment. Most of them did not know the nature of the amendment. All of them knew it "had more money in it." How can education administrators not want and ask for more money? They are under unbearable pressures, and they have the obligation to seek other than local funds as aggressively as possible.

On the other hand, when I confronted a group of over 100 local school board members on this subject yesterday, only one indicated to me directly that he supported the Hathaway amendment and wished me to do so, too.

It is hard to oppose an amendment seeking to increase aid to education without being accused of being against education. For the record, I believe we should spend more than we are now doing. But I want it spent effectively. The arbitrary increasing of old program spending is not good enough for me. If we have to live with these old programs, the committee's appropriations are enough.

Without dramatic change in program, I believe the Hathaway amendment, an increase of three-quarters of a billion dollars, is excessive.

Being an incurable optimist, I have high hopes that we will develop through some form of revenue sharing, grant consolidation, impact reform, and other improvements, a more reasonable and effective form of educational aid worthy of first-class funding.

Mr. Chairman, without knowing where the dollars will go, without knowing what the effect of the extra money will be, without confidence that our programs are doing all they should do to improve education, without assurance that we are really meeting local needs or helping local school boards, I cannot support this amendment. I do intend to vote for the bill, but in the future I will insist that Federal education expenditures take a form more usable to local educators and school boards and that the effectiveness of those expenditures be measured on a regular basis by this Congress.

Mr. PRYOR of Arkansas. Mr. Speaker, I rise in support of the Hathaway amendment to H.R. 7016 which would add \$15 million to programs of the Library Services and Construction Act.

Since 1956 when the Library Services Act was first enacted, 85 million people have benefited from new or improved library services. Every Federal dollar spent on library services had stimulated a \$3 expenditure by the State and communities; for library construction, the ratio is one Federal dollar to two State dollars. In my own State of Arkansas, under LSCA title II, there are two construction projects involving 20,000 square feet in early planning stages which would require 247,500 Federal dollars and 165,000 non-Federal dollars.

The current backlog of public library building construction in Arkansas as of February 1, 1971, totals 12 projects which are needed but not yet actually in the planning stage. This is a present lack of 120,000 square feet. The estimated cost would be \$2,400,000.

Forty-three State library agencies now

have some 300 projects waiting. The Federal dollars needed total \$49 million, which would be matched by 90 million non-Federal dollars.

An example of how LSCA title II construction moneys have improved public library services in a fast growing area, the Arkansas River Valley Regional Library—1970 population 84,535—which is composed of five counties situated in the Arkansas River development area, shows a population increase of 12,827. With LSCA title II funds, matched by local funds, this library headquarters has doubled floor space; built three branch libraries, a fourth branch is under construction and a fifth branch is on the waiting list. Educated people moving into this area are demanding adequate library services.

The continuation of our development of multicounty library systems would be unmet unless LSCA funding is substantially increased. Of our 75 counties, 19 are still operating as single county libraries. LSCA funds are needed to strengthen these libraries and to develop multicounty systems.

About 29 million books and other library materials were purchased under State plan programs with Federal, State, and local funds during the first 10 years of this program. In fiscal year 1968 alone, public libraries were able to purchase 6.5 million books and related materials.

The National Education Association says education costs have gone up 10 percent this past year. Therefore, 10 percent more money than last year would have to be appropriated just to keep up with last year's appropriation.

I wish it were possible to speak to each individual Member of Congress in order that all of us would be aware of the solid accomplishments the Library Services and Construction Act has brought about thus far in their own districts, resulting in improved library and information services.

This is a bipartisan effort in behalf of all citizens of the United States. This major Federal program assists both metropolitan and rural libraries by providing for library services to physically handicapped and disadvantaged persons, and for services to people in hospitals, welfare institutions, and other State facilities.

Unless LSCA funding is increased substantially, the development of mobile units to serve metropolitan areas in central Arkansas would be unmet. Many people are moving to the Little Rock and Pine Bluff areas. These people, along with many, many others, are without library services which could be supplied with staff, books, and mobile units.

So we have a big job to do in Arkansas, and there is a big job to do in many other States as well.

The Hathaway package is a step toward continuing what has been started, and I strongly support it.

Mr. MINISH. Mr. Chairman, I rise in support of the package amendment increasing the Office of Education appropriations. The package would add \$728.6 million to the total appropriations measure of \$4.77 billion. I might mention at this point that the Appropriations Com-

mittee increased education moneys over the budget request by \$101 million. However, the money bill before us today still remains 65 percent below the congressional authorization for the programs covered.

Since \$5 billion is a large sum of money, I believe it necessary to discuss what programs are benefited from the add-on amendment introduced by my distinguished colleague from Maine. Moreover, I hope that I can help to justify the increases.

Last year, the Congress appropriated \$4.4 billion for the Office of Education programs for fiscal 1971. Since that time the cost of educational goods and services has risen an average 9 percent, while the number of educational participants, students, and teachers has increased.

In fiscal 1971 the Congress appropriated \$1½ billion for title I programs of the Elementary and Secondary Education Act. This is the title that provides assistance to educationally deprived children, assuring that many of them receive compensatory education. The 1965 act, as amended, provides funds to supplement State and local money spent to provide underprivileged children with an educational opportunity. A 10-percent increase in funds is necessary just to buy the same educational program for the same number of children enrolled last year. Thus, without the increased funds provided under the amendment, there would be resultant cutbacks in services and enrollees.

Title II of the Elementary and Secondary Act provides grants to the States for school library resources, textbooks, and other printed and published instructional material. It is estimated that 40 percent of elementary school libraries still have no central library facility and far too many others have woefully inadequate resources. The package amendment would provide enough funds to maintain the programs existent under this title; no expansion would be possible.

Title VIII of ESEA is the dropout prevention program. This program has an excellent success rating where it has been applied, with an average dropout reduction of 25 percent. The additional funds would serve to meet education cost increases and provide only a slight program expansion.

The public housing program under Public Law 874, part C, had been excluded from the Office of Education money bill. It was not included in the budget request although Congress has authorized this program. The package amendment would provide \$75 million for the program, which makes payments to equalize the tax revenues lost on land used for public housing. The amendment provision of \$75 million, moreover, is only one-quarter of the amount authorized for this program.

Title IV of the National Defense Education Act supports graduate students preparing for teaching careers at post-secondary levels. While \$47.35 million was spent on this program in fiscal 1971, today's money bill allots only \$26.91 million. The added sum of \$8.4 contemplated in the amendment would permit the same

number of new starts in fiscal 1972 as there was in fiscal 1971, rather than limiting the program to continuation only.

The education professions development contains an authorization providing grants to institutions to assist in the training of college teachers and administrators. The amendment will add \$1 million to the \$10-million program to cover the increase in the cost of education over the past year, thereby keeping the program on an equivalent level.

The Education of the Handicapped Act was an amalgam of different pieces of legislation that had been enacted to assist the 7 million preschool and school-age handicapped children. The legislation developed after studies demonstrated that this group of children was not adequately served in existing school programs. Research evidence has shown that early education may provide enough compensatory results to overcome early handicaps. Many of the children in this fortunate group can thereafter work within regular classrooms without difficulty. This program thereby combines two elements that are most convincing—on the one hand a handicapped child is taught to function as well as possible with a handicap; on the other hand, the education he receives may so successfully compensate for the handicap that the child is brought back within the realm of normalcy. Yet the 1972 Office of Education appropriations hearings demonstrated that 74 percent of the multihandicapped are not receiving services, that 79 percent of children who are hard of hearing and deaf are not receiving services, that 67 percent of crippled children are equally ignored, and that 66 percent of the visually handicapped receive no services. The same hearings also revealed the deplorable inadequacy of trained personnel in their field. Moreover, the amendment to increase this program by \$5 million can only hope to cover the increased cost of services in the field of education and covers no expansion of the program.

The amendment also provides a \$50-million increment to the vocational education program. The program was first established in 1963 legislation providing assistance to the States so that persons throughout the Nation could participate in vocational education programs. The programs are geared to providing students with training skills necessary to obtain employment, and the program includes physically, academically or socio-economically handicapped persons. In an area such as vocational education, it is obvious that the money spent for training is diminutive compared to the costs of maintaining unemployables.

The money slated to be expended for fiscal 1972 for adult education according to the Office of Education money bill is \$55 million, the same as the figure appropriated in fiscal 1971. The amendment proposes an additional \$35 million for the program because it is believed that due to formula changes in the act, there may be reductions in funds for many States with the increase. The adult basic education program was established to eliminate functional illiteracy among the Nation's adults, and operates in cooperation with other human resource de-

velopment programs such as vocational education and manpower training.

The grants and work-study program help to make available to students with little financial means the financial ability to obtain a post-secondary education. The programs also assist veterans who are eligible to receive aid through the program. The additional \$30 million provided under the package amendment would help those low-income students desirous of obtaining an education to remain in school.

The amendment would also provide \$5 million to provide special programs for disadvantaged students who wish to obtain a post-secondary education. Such students are not only financially needy, but require remedial and cultural education as well in order to compete against other students on an even basis. The added funds would assist the program to remain at the 1971 level in view of increased educational costs.

Title I of the Library Services and Construction Act authorizes State grants to provide an extension of library services so that the disadvantaged, the bedridden, the blind, and handicapped would have access to libraries. It has been estimated that public library income from all sources this year will amount to \$435 million less than needed to provide adequate service. The amendment would add on the sum of \$14 million to help close the gap in library services.

Title II of the Library Act would provide the States with the wherewithal to support library construction. Lack of space for books, outmoded and inefficient quarters are common problems burdening library personnel and users. Moreover, under the construction provisions of the library services legislation, inner city areas could obtain library services simply by remodeling rooms in public housing projects or storefront libraries. There is no more basic tool in a civilized nation than books. The \$2 million increase contemplated in library construction funds would help assure their availability.

Mr. Chairman, in view of the large number of programs requiring attention in today's Office of Education money bill, it has been necessary to skim over many worthwhile programs and simply eliminate others during discussion. However, I should like to point out before I finish my statement that there are few bills considered in this Chamber that merit the attention of the one before us today. Any investment in children will reap future dividends. Be it money, or time or just attention, nothing given to a child is ever lost. The converse is also true. A deprived child never can make up his loss. We must, therefore, act on this money bill with that fact uppermost in our minds. Spending money is always painful. However, the possibility of a future generation inadequately prepared to cope with adulthood is far worse.

Mr. JOHNSON of California. Mr. Chairman, I rise to urge my colleagues in the House of Representatives to meet fully our obligation to the children of this Nation.

As many of you know, I started my career in public service as a trustee in my local elementary school district. Since

that time, I have followed the development of our education system with a great deal of interest and attention.

Education is the prime means of developing human resources so necessary in this fast moving technological age. As one who has participated in the school system, I believe the Federal Government has a responsibility in this field. This is nothing new. More than 160 Federal-aid-to-education laws have been enacted by Congress since 1785. The Morrill Act of 1862 establishing land-grant schools was expanded in 1890 to authorize payment of Federal funds to land-grant colleges and universities. The Smith-Hughes Act of 1917 provided Federal assistance to States for vocational education. Most familiar is the 1950 enactment of Public Laws 815 and 874 to assist schools in federally affected areas. These resulted in the payment of millions to schools in my district in California.

Education, or lack of it, knows no State boundaries. I oppose any Federal encroachment upon local and State jurisdictions. Our State constitution and the historic authority of the school boards to govern our educational programs must continue, but the Federal Government has and should help finance the cost of education in order to relieve the heavy burden placed on local property-tax payers.

In recent years, we in the Congress of the United States, I believe, have taken an enlightened position as it relates to education. We have done this over the objections, some of which were strenuous, and the vetoes of the present administration; I feel that we must continue this leadership if we are to meet the education needs of this Nation.

Therefore, I support wholeheartedly the proposal being advanced by the gentleman from Maine (Mr. HATHAWAY) and I share his thoughts that this amendment is a realistic approach to solving the critical crisis now confronting education programs from elementary through the college levels.

While I support all aspects of the full funding proposal, I would of course like to emphasize two particular sections; namely, the elementary and secondary education programs and the programs for federally affected areas, Public Law 874. These two account for much of the increase.

We have heard in the past few months a great deal about the problems of the property taxpayer and the fact that the property owner has just about reached his limits. Increases on this narrow-based property tax are unthinkable. And yet, if the Federal Government does not meet its responsibilities, the school districts of the Nation face an untenable choice of either increasing the property tax or increasing the size of the class, thereby reducing the level of education for our children, especially for those in the greatest need, those who would benefit from the provisions of ESEA.

With the maximum limits of local property taxes already reached, there seems only one alternative, and that is for the Federal Government, in the national interest, to insure an adequate and quality education for all; to recog-

nize that education is a major lifeline for the future health and prosperity of this Nation, and to take the necessary steps in addressing itself to these goals.

In conclusion, I would also mention the Public Law 874 program which is of special importance to areas such as the Second District in California which I represent. There, the Federal Government owns 60 percent of the land mass, by far the largest property owner, employer, and the basis upon which our economy depends. We cannot take lands off the property tax rolls and not compensate for it. In a small way, Public Law 874 meets this obligation, and I would hope that we would provide the full funding for this program.

It is my firm belief that we cannot afford to lower our education standards. There is no faster way for this Nation to become weakened and erode than to follow a progressively lower road in our educational goals.

Mr. WYMAN. Mr. Chairman, the House is being asked today to adopt an amendment to the education appropriations bill which would add almost three-quarters of a billion dollars to the Appropriations Committee recommendation—itsself increasing expenditures \$205 million over the fiscal year 1972 budget. No one can deny that money spent for educational purposes is a sound investment. But education is only one of many vital needs facing our Nation. Despite tremendous wealth, the United States is limited in its resources and, like any household, cannot afford everything it desires, no matter the merit.

It is necessary, therefore, to establish an order of priority for meeting the competing needs of the country. Responsibility for this is logically placed by the Constitution with the President and the Congress. In his annual budget, the President—with the assistance of the vast and expert Federal bureaucracy—divides the Nation's available resources so as to meet all the responsibilities of the Government. Congress then reviews the President's suggestions before enacting the necessary legislation. The Appropriations Committees, with their highly professional staffs, have been created to aid Congress in effectively discharging its responsibilities. Clearly, such a process insures national priorities are realistically assigned, and the Government made as responsive as possible to the needs of the Nation.

The request before us now is a sharp break with responsibility. The proposed \$728.6 million increase represents the legislative goals of one special interest group—the National Education Association.

While I recognize and applaud the preeminence of the association in matters educational, it represents a specialized constituency and not the Nation as a whole.

I urge the defeat of this ill-advised amendment. We simply cannot afford to continue spending money we do not have without running the serious risk of tearing down all we are trying to build.

The bill is already more than \$100 million over the budget and the gentleman from Maine's amendment is a blatant at-

tempt to roll the Committee on Appropriations.

Those Members who sincerely wish to aid in fighting inflation and in preserving fiscal responsibility in this time of fiscal crisis must oppose the amendment.

Mr. LLOYD. Mr. Chairman, I oppose the Hathaway amendment adding a lump sum of \$728.6 million to an education bill which already amounts to more than \$4.5 billion and which already exceeds the President's budget by more than \$100 million. In opposing the Hathaway amendment, I realize that I incur the displeasure of many individuals in the education profession, but I trust that the majority will realize the obvious, which is that opposition to the Hathaway amendment is not synonymous with opposition to education, despite the fact that some representatives of organized education may attempt to communicate a different view.

The Hathaway amendment is a bad way of attempting to enact legislation. It is bad because it offers something for everybody under one umbrella, so that programs perhaps deserving of additional appropriations are lumped with those not so deserving.

It is the wrong way to enact legislation because the subcommittee has worked long and hard to determine the specific factual situation, and there are no opposing views in the committee report. What those of us in the Congress are faced with today are telegrams and letters from individuals, asking not that we give consideration to facts which they offer but only that we vote according to the conclusions which they present. The public at large hardly realizes what is transpiring here today.

I have done considerable individual examination of most of the provisions of this appropriations bill. My examination of the impact of the Hathaway amendment in my area is that the need is certainly not overriding, if indeed it exists at all, in the field of elementary and secondary education. We have gone a long way in providing special educational assistance to the underprivileged. The committee bill, which I support, continues that program. We have gone a long way in providing instructional facilities and media under title III. The committee bill, which I support, does not cut that program back. As a matter of fact, I believe this would be a good time, considering the many emergencies confronting the country, for education to take a little time to digest the new programs which are already being financed, to determine whether more mileage can be gained from funds already being spent.

In the field of higher education, naturally, the institutions desire to receive increased Federal grants, but the committee bill, which I support, continues the subsidy of interest on borrowed money for the construction of needed facilities. The Hathaway amendment not only goes beyond what the country can afford, but it also changes the type of assistance which is now operating with a considerable degree of efficiency in the area of construction.

In the field of vocational education,

the committee bill raises last year's appropriation by nearly \$64 million. The increases provided in the Hathaway "Christmas tree" amendment go beyond what we can reasonably do in my opinion.

The committee bill continues appropriations to public libraries on the present level, and, although college library programs are reduced somewhat, I believe the Hathaway amendment to be excessive. We must learn to achieve broader use of the funds we are already spending on libraries.

I appreciate the reasonable manner in which most Utah educators have approached me on this problem, and I believe that many of them agree with me that we are making reasonable and responsible progress in our assistance to education but that we cannot do more than is justified in view of the great emergencies presently facing this country.

The greatest need in education today, in my opinion, is to raise the quality of individual teacher instruction and communication through the finding of a way to raise teacher salaries to a scale commensurate with similar professions and jobs.

Mr. ANDERSON of California. Mr. Chairman, I rise in support of the Hathaway amendment to H.R. 7016 which will increase the Office of Education appropriations by \$728.6 million.

We all know that the great majority of funds to operate our schools comes from State and local sources. According to the National Education Association, States and localities pay 93.1 percent of the cost of educating a child in our school system. The remaining 6.9 percent of the school revenue comes from the Federal Government.

On the average, 52 percent of the revenue for operating the schools comes from the localities, and we all know that the majority of these funds are raised by local property taxes.

Mr. Chairman, it naturally follows that in order to enable localities to reduce property taxes, the State and the Federal Government must increase their share of the revenues in operating the schools.

This is especially true in California. While nationwide, the Federal Government pays 6.9 percent of the costs in education, in California, the Federal Government only pays 5.1 percent. Thus, California is not receiving her share and, in fact, ranks 39th in the percent of revenue received from the Federal Government.

But, not only is the Federal Government skimping on its payments to California, the State government in Sacramento is falling down in its payments to the school districts. Nationally, the State governments contribute 41.1 percent of the costs in education, but in California, the State government only pays 35.2 percent.

I want to raise the Federal and State payments so that we can give the property owner a break. The administration request does not meet this goal. Instead of raising Federal payments, the administration has requested that Congress re-

duce Federal spending in California by \$80.1 million.

Mr. Chairman, I commend the committee for increasing the administration's request by \$101.2 million, but this is not enough to bring expenditures in California to the level they should be.

The Hathaway amendment would increase Federal funds for educationally deprived children—ESEA I—\$150 million over the 1971 expenditure. This amendment will increase the 1971 appropriation by \$10 million for library resources—ESEA II. It will increase the funding level for supplementary services—ESEA III—by \$15 million. In order for States to strengthen resources and reinforce their ability to identify and to meet the needs of elementary and secondary education, the Hathaway amendment adds \$7 million to the committee's recommendation for ESEA V.

Under Public Law 874, aid to federally impacted areas, the Hathaway amendment adds \$63 million to the committee recommendation, thus making \$625 million available, while the administration recommended \$425 million for this program.

Under title III of the National Defense Education Act, California received \$3.7 million in fiscal year 1971. For fiscal year 1972, California has estimated a need for \$14 million under this program. The Hathaway amendment would raise this appropriation from \$20 million to \$50 million.

Under title I, HEFA, the Federal Government is authorized to make grants to public community colleges and technical institutes for the construction of academic facilities. Last year \$43 million was appropriated for this program. The Hathaway amendment would increase the funding level to \$99 million.

The amendment increases funding for aid to land-grant colleges by \$7 million, and grants to libraries under titles I, II, and III of the LSCA by \$16 million.

Mr. Chairman, the Hathaway amendment will provide additional Federal funds for the educational systems, and, hopefully, will allow the local communities to lessen the burden on the local taxpayer.

I commend my able colleague (Mr. HATHAWAY) for his leadership in this field and for his initiative in proposing this much-needed amendment. I feel that Mr. HATHAWAY's knowledge of the needs of our school systems is great, and I am pleased to join with him in this effort to increase Federal funds for education.

Mr. LINK. Mr. Chairman, I join my distinguished colleagues in support of the Hathaway amendment offered by the distinguished gentleman from Maine.

In our consideration of this amendment to the education appropriations bill, I believe that we must give consideration to the relationship between the amounts authorized by the Education and Labor Committee and the amounts which have been recommended by the Appropriations Committee. While the Appropriations Committee's recommendations are certainly an improvement on the administration's budget request, we must recognize that the com-

mittee's amount still falls about 65 percent short of the amounts authorized for education. This amendment would help reduce the gap between our promise and our performance in the vital area of education.

I have received letters requesting my support for this amendment. Their unique quality is that they go beyond mere self-interest and are deeply concerned with the importance of making Congress vision of excellence in education a reality.

Mr. ROBISON of New York. Mr. Chairman, I am supporting the committee position on the bill before us—the 1972 appropriation for the Office of Education and related agencies—and casting my vote against the so-called Hathaway amendment.

I am doing so not because I am satisfied in every detail with the committee bill—who in this Chamber is?—but because I believe the all-out Hathaway approach represents an irresponsible, and possibly futile, attempt to get at the things that are wrong about the American educational system, today. These things are various and sundry in nature. Together they represent a challenge to every educator, to every public official, to every parent and teacher, and, of course, to the Congress.

By and large, those things have not arisen due to a lack of money poured into the system; and, if that be true, then it is equally true that they cannot be cured simply by further infusions of money, Federal, State, or local.

To be aware of such things—or to take the position I take, today—is not to waver one whit in one's commitment to excellence in the American system of education. Rather, it is to evidence a further commitment in that regard—to set right those things that need to be set right, so that the degree of excellence we wish for our children can eventually be achieved.

Now, I have been importuned by representatives from the educational community in New York, as well as by the Governor's office, to support the Hathaway amendment. The sole argument advanced in that regard is that, should the amendment carry, our State could anticipate receiving perhaps as much as \$60 million more in Federal assistance to education during fiscal 1972 than it can look forward to under the committee bill.

That argument ignores the perils that this amendment faces, if adopted, by way of what seems a likely Presidential veto of the bill. It ignores, as well, the cost and uncertainty of the delays that would inevitably accompany any such veto and the subsequent, necessary congressional reconsideration of this entire matter—which, let us recall, does now go on to the Senate for review, anyway, and some possible readjustment on a line item basis which, I think, is the proper and responsible way of going about the task of considering the committee's product.

And that argument also totally ignores something else—which, in the overall context of our problem, is of greater importance. It ignores the prospect of enhanced Federal assistance to education that will be ours if—and at the moment

it is a big "if"—the administration's proposals for both general revenue and special revenue-sharing for education can be advanced. Under the first such proposal—that for general revenue-sharing which, incidentally, I have also been importuned both by the Governor and the educational community in New York to support—our State would receive \$543 million in unrestricted Federal aid in fiscal 1972. As we all know, about half of that sum would automatically pass on through our Governor's hands to the hands of those in charge of local government in our State. If it was in line with local wishes, that passed through sum—or any part thereof—could be used to meet the rising costs of education; and, given our special problems this year, in New York, with the State's own budget, one can assume this would be a likely result.

So, there is that, Mr. Chairman, which I have by way of an alternative to the Hathaway approach. And I think it a far preferable alternative, to that of here increasing these narrowly focused, categorical-grant programs, for it would give the local authorities the flexibility they now lack—with Federal assistance—to determine their own special needs, settle on the priorities between them, and then run their own programs designed to meet those needs without having a Federal bureaucrat watch their every move.

Mr. Chairman, I am strongly in support of this kind of revenue sharing. I believe it constitutes true reform—not just of our federal system so as to make it more responsive, but of our educational systems, as well. I had thought this was supposed to be my target, this year, and I intend to preserve it, as best I can, as an achievable goal; this is why I hope, as I vote against the Hathaway amendment, those who in all good faith have asked me to support it will understand that I am not doing so because I believe that, if it passes, we will just have hammered one more nail into revenue sharing's coffin.

So, let us go on from here to consider this bill on a line item basis—and to make certain increases therein where they can be fully justified, and where they will not stand in the way—and restoring the moneys for the land grant colleges to last year's level would be one example of this—of the chances, in this session, for either general revenue sharing or the President's recently submitted special revenue-sharing fund for education.

Finally, let us begin to look with a growing sense of urgency at those things which, as I said earlier, are wrong in our educational systems. At the manner by which Federal grant-in-aid programs, often too narrowly defined and designed to achieve the things that Washington wants while, at the same time, allowing little latitude to meet the needs of the individual community, twist, and distort the application of ever-dwindling local resources. At the hazards involved in our continuing to increase institutional aids that do little more than underwrite the status quo in education. And at the compelling need to bring such a degree of flexibility into the relationship between

the Federal Government and State and local governments as to stimulate rather than stifle creativity and local initiative so that, in the end, we will have the diverse and responsive American system of education I believe we all desire.

Mr. DONOHUE. Mr. Chairman, I intend to support and I most earnestly hope the majority here will also approve the Hathaway amendment to reasonably increase funding in certain and essential areas contained in this pending education appropriation bill. The proposed increases are truly modest and their urgency is authoritatively cited by the endorsement and approval by the Emergency Committee for Full Funding of Education, which includes organized labor and over 100 professional education groups.

Over these past months I have repeatedly voted, at times with real reluctance, to reduce or eliminate appropriations for other programs, such as the SST, in order that these funds could be transferred to the more immediately urgent and vastly higher priority needs and programs directly affecting human welfare and development, such as those included in this education bill.

The President himself has expressed his conviction that education is "the one area we cannot shortchange" and I am in full agreement with him on this score. Particularly at this critical time in our history I do not believe that we are warranted in taking a chance on dangerously shortchanging the growing and urgent needs of our higher and elementary and secondary education systems, the educationally deprived, our handicapped children, the expanding need of vocational and adult educational programs and for impact aid for the operation of hard-pressed school districts throughout my home area and the country.

Mr. Chairman, in this unhappy and unfortunate inflationary period of our history we are all required to be diligently concerned for the reduction and elimination of nonessential Government expenditures. Our real legislative challenge is to determine the areas of most urgent human need and prudent spending to meet those human needs. Few people will attempt to dispute the fact that education is basic and essential to the development and progress of our most valuable national asset, our youth, and it has become an increasingly essential element in the lives of our adult population.

The increases that are proposed here, to strengthen the operation and effectiveness of these several educational programs, are modest by any standard and are far below the authorized program levels. In my earnest opinion they represent a prudent investment for the present stability and future progress of our country and I urge approval of this bill with the amendments included.

Mr. FRASER. Mr. Chairman, the Hathaway amendment proposes to add \$9,300,000 to the committee's recommendation for the college library resources program, title II-A of the Higher Education Act, bringing the total for fiscal year 1972 to \$19,300,000.

This program has helped academic

libraries build their collections to better serve the students and faculty of their institutions. But enrollments continue to grow and curriculum needs change. The library must expand and adapt to these new conditions. In addition, title II-A funds are crucially important to the development of libraries in new institutions of higher education. Community colleges and technical institutes are opening their doors at the rate of one a week, and the expense of starting an academic library from scratch is more than these small colleges could bear without financial assistance from the Federal Government.

The administration has said that one reason for reducing the appropriation request for this program is because it has had marginal effect. But a recent survey of college librarians showed that this was not the case in 90 percent of the institutions. Also, most librarians reported increased support from the college administration above and beyond what was necessary for matching funds.

The Office of Education has already received 1,800 applications totaling \$29,000,000 in basic and supplemental grants for fiscal year 1971 funds, and 500 applications for special purpose grants are anticipated. The amount requested will be about \$34,000,000. And to meet expressed needs of this magnitude, the bill before you provides only \$9.3 million.

In Minnesota, for example, only 22 out of the 44 eligible colleges are likely to receive grants. We must not allow this situation to occur again. By approving an increase in funds to \$19,300,000 we will not meet all the needs, but we will come closer to it than we have in the past.

The same kind of disparity in funding recommendations is found in the title II-B program for training in library and information science. The Office of Education expects 175 applications for \$15 million in grants to fund continuing education institutes. The present recommendation proposes only \$2 million to take care of both institutes and fellowships for graduate study.

The Nation's libraries—all types, including school, public, academic, research and special—need 10,000 more professional librarians to provide good service to all their clients. Even the most well-stocked library, housed in the most modern building, needs the expertise of trained librarians to lead the consumer to the information he desires. The deans of the 47 accredited library schools in the United States report that they need 692 Master's and 149 doctoral fellowship grants for the coming academic year.

Cutbacks in these awards would seriously jeopardize schools of library science including the one at the University of Minnesota. Many awards are used to attract top quality minority group members into the profession. Even \$4 million, as proposed by the Hathaway amendment, will be far from adequate to satisfy these demands for personnel, but it may keep the program from dying out completely.

Although I have spoken about the library programs involving higher education, I am also most concerned about

other education programs. I strongly support the amendment offered by the gentleman from Maine (Mr. HATHAWAY).

Mr. MOLLOHAN. Mr. Chairman, as we consider the appropriation for the Office of Education, we should give serious thought to the direction we should take to provide education for the future. I agree with a growing number of educators that education in the future should be more pragmatic and more geared to the realities of preparing a youngster for a career. Vocational education is the kind of education which gives this direction.

Now, the administration has requested \$468.9 million for vocational and adult education for the next fiscal year, a decrease of \$25.3 million. This is, in my opinion, inadequate. In this time of uncertainty, when job opportunities for college graduates are decreasing, when college costs are increasing, the appeal of a college education is less than it was a few short years ago. At one time, high school counselors were pushing students into college as if it were the threshold to security. It was an unspoken shame for a student to choose the lower path of vocational or technical education. It was the unusual student indeed who successfully held out against the pressures of society and admitted to himself that college might not be for him. But times have changed and vocational education, which once suffered under a stigma, is becoming more appealing.

I support the amendment offered by the Honorable WILLIAM HATHAWAY to increase appropriations for the Office of Education, and I urge my colleagues to do likewise, for the Hathaway amendment would provide the kind of commitment needed to insure the growth of vocational education programs.

I think our vocational education programs must grow and must improve, and my reasons for such belief are not based solely on the present economic condition which I hope is only temporary.

The present economic slowdown has placed the perspective values of college and vocational education in balance and it has deflated the promises of college education, but far more important, it has pointed out a fundamental neglect in our secondary and post-secondary educational philosophy. For too long, this Nation, under the spell of increased scientific competition from the Soviet Union, has neglected the average student in favor of expanding opportunities for the extraordinary student.

This Nation needs skilled craftsmen and laborers just as much as it needs engineers and scientists, so any Federal program to educate young people in these areas will pay off.

Recently, the new U.S. Commissioner of Education, Sidney Mariand, Jr., gave an address in which he called for increased emphasis upon vocational education. We are glad that high administration officials are becoming aware of this need, but money—not talk—is the way to fulfill this need, that is why I urge my colleagues to support the Hathaway amendment.

Mr. VANIK. Mr. Chairman, the Appropriations Committee is to be commended

for reporting out a bill which provides some needed increases in vital programs. The legislation before the House provides an increase in expenditures of \$205 million over the amounts projected in the budget for fiscal year 1972—this increase is vital in times of rapidly increasing education costs. The committee is also to be commended for reporting out a bill so early in the year. In the past, we have enacted education legislation after the fall school term had already started. Last year, we passed the Office of Education appropriation bill—over a Presidential veto—in August. As a result, bureaucrats were late in getting notifications of available funds out to colleges and college students. The chaotic situation created by late funding must be avoided. It is my hope that the other Chamber will be able to take prompt action on the bill we send to them so that educators may be allowed adequate planning for the coming school year.

Despite many good features in the bill, Mr. Chairman, I am disturbed at inadequate funding in many areas. All too often the level of funding between fiscal year 1971 and fiscal year 1972 remains the same—despite sharply rising costs. Funding this year's programs at last year's levels means that fewer students will be assisted.

In addition, we must view the appropriation bill against the level of authorization provided for the programs in question. The bill before us falls about 65 percent or \$8.8 billion below what we have authorized for these programs. The Federal Government as a result is contributing less than 8 percent of the Nation's total education budget. Frankly, I can think of no better form of revenue sharing than for the Federal Government to increase its efforts in this area—thus increasing the quality of education while reducing the need for increased local tax efforts to support education programs.

For these reasons I intend to support the Hathaway amendment to the bill which will provide an additional \$728.6 million in vitally needed funds. I believe that a closer examination of some of the projects which will be assisted by the Hathaway "package" will help demonstrate the very real need for these extra funds.

One of the largest and most important programs being funded today is title I of the Elementary and Secondary Education Act. This was provided with \$1.5 billion in fiscal year 1971 and the committee is providing the same amount for the coming school year. This program is absolutely vital to inner-city school districts—such as the Cleveland public schools and the East Cleveland public schools which I represent. In the Cleveland school system, with the present level of Federal aid, no new teachers are being hired to meet increasing loads in the classrooms. Class sizes are beginning to range above 40 students per room per teacher. No children, let alone children with educational disadvantages, can be taught under crowded conditions such as that. Cleveland school officials inform me that if the level of funding for title I stays the same, they will have to cut back on already strained services. The

Hathaway amendment, which will provide an additional \$150 million for title I, is essential. This amendment will meet the 10-percent rise in education costs thus permitting at least a continuation of services at present levels.

In fiscal year 1971, the Office of Education was given \$78.4 million for library aid and education communications programs. That amount has been cut to \$72.1 for the coming school year. Yet so much more is required in this area. The Nation's school districts report that 50 percent of the elementary schools and between 45 to 67 percent of the secondary schools fail to meet their State standards for school library resources. To meet the standard, some 425 million volumes are needed. The Hathaway amendment would provide an extra \$28 million for library and communications services. This will just enable school libraries to stay abreast of the 22-percent increase in book prices which has occurred since 1969. It is clearly needed.

Another vital program on the frontiers of education is title III of the Elementary and Secondary Education Act, commonly known as the supplementary services program in which special and innovative education programs are assisted. These programs are designed and implemented by the States and local educational units. With the extra money provided in the Hathaway "package," we will be able to move from one new program start in each State to three new programs in each State. The need for this is clear when one considers that my district alone would be able—and willing—to support three new starts.

Another program which deserves increased support is the dropout prevention programs provided by title VIII of the Elementary and Secondary Education Act. This is a small program but it has had spectacular results. In the 10 target school districts, there were 3,830 dropouts in the year before the program began. In the first year after the program had been in operation, there were only 2,837 dropouts. Since it has been determined that the crime rate among dropouts is nearly three times that for those who finish high school, the importance of this program is all too clear. I only regret that this program cannot be immediately expanded to all major metropolitan areas.

Another area where the Hathaway "package" will be useful—but still inadequate—is in the increased appropriation for education for the handicapped. Despite increased Federal efforts in this area during recent years, it is estimated that only 40 percent of the Nation's handicapped children are receiving appropriate educational services. The magnitude of the problem in this area can be seen by Treasury's opposition to an amendment which I offered in my Committee on Ways and Means last year. Treasury opposed my bill—which would have provided a limited \$600 tax credit for expenses incurred in the education of handicapped and retarded children—because the cost to the Treasury would have exceeded \$1 billion. This means that parents of handicapped and retarded chil-

dren are financing out of their own pockets—despite the fact that they pay school taxes—enormous sums of money to meet the special education needs of these children. In many cases, this is a cost which the family can ill afford. It is obvious that a great deal more needs to be done in this area if we are to educate these children and remove them from dependency for the rest of their lives.

Mr. HOGAN. Mr. Chairman, during the 91st Congress the House considered two education appropriation bills. On each occasion, the House voted to approve large increases in the budgets of numerous educational programs and on both occasions, President Nixon felt compelled to veto these measures. My votes to override these Presidential vetoes were difficult decisions to make; however, I voted to override because I place a high priority on the education of our children. I have long felt that educational programs deserve a high priority and should receive generous funding.

Today we are considering the committee's recommendation's for the fiscal year 1971 education appropriation, which have increased by \$101 million the President's request for approximately \$4.5 billion in education funds. The President has advised that the amounts in the committee's bill are acceptable to him. Now, once again, we are faced with a "package" amendment to increase the funding for various education programs by another \$728 million. This has caused me to closely review the past and proposed funding figures for each of several educational categories receiving funds under this bill. I have noted the following figures regarding the committee's recommendations:

Various elementary and secondary school programs—\$1,822,218,000, an increase of \$27 million over the budget request, and a decrease of \$24,750,000 below the 1971 appropriation;

Impact aid—\$577 million, an increase of \$137 million over the budget request, and an increase of \$25,932,000 over the 1971 appropriation;

Handicapped—\$115 million, an increase of \$5 million over the budget request and an increase of \$10 million over the 1971 appropriation;

Vocational and adult education—\$558,042,000, an increase of \$89,130,000 over the budget request, and an increase of \$63,846,000 over the 1971 appropriation;

Higher education — \$1,215,451,000, though a decrease from the budget request, an increase of \$247,571,000 over the 1971 appropriation;

Student assistance — \$1,024,400,000, which will support a total new loan level of \$1,160 million for fiscal 1972, an increase over fiscal 1971 level. Also includes \$293 million for NDEA student loans, which will provide a total of 648,900 NDEA student loans compared with a total of 560,400 student loans in fiscal 1971.

Libraries and educational communications—\$72,109,000, an increase of \$42,709,000 over the budget request and a \$6,317,500 from the 1971 appropriation; and

Research and development—\$105 million, an increase of \$3,500,000 over the

budget request and an increase of \$6,923,000 over the 1971 appropriation.

Certainly, the committee bill does not contain the amount of funds which many of us would like to see spent on educational programs. Even the funds in the Hathaway amendment will not provide the impact and assistance to greatly further any one program because it is spread so thinly across the spectrum. We must take into consideration the various proposed and pending changes in the educational structure and weigh their effect on the funding needs of these programs.

I feel that the members of the subcommittee which reported this bill share my strong support for education. Yet they realistically have reported funding levels which they consider desirable under present conditions. In my opinion, the committee bill deserves our support. Therefore, I am not voting for the Hathaway amendment.

Mr. GUDE. Mr. Chairman, I rise in support of the Hathaway amendment which will provide additional funds for educational programs in fiscal 1972. Educational needs must be given a higher priority in the allocation of Federal funds as the greatest chance for the continuation of the American ideals can best be served by a well, and widely, educated, citizenry.

Specifically I sight the need for improved vocational and adult education programs. Though the committee recommendation does increase the initial budget request, I feel an even greater assistance is required in this area. With over 50 percent of our young people unable to go on to higher education, we must prepare them for the working world. Furthermore, our youth must be encouraged to continue their educational effort even after they have begun to work—the Hathaway amendment will be a major step toward this goal.

The one area where this amendment will have the greatest impact is in the area of higher education. Approximately one-third of the Hathaway effort will provide much needed relief for colleges and universities across the country, and Maryland campuses would certainly be helped substantially. I feel that this increase is vital if we are to strengthen our institutions of higher learning.

The other major effort of the Hathaway proposal is in the elementary and secondary education field. Without this additional \$200 million we will be appropriating the same amount as we did in fiscal 1971. Taking into account the rising costs and the additional pupils, the same number of dollars would mandate a reduced program. Therefore, to hold the line, the proposed increase is fully justified.

Mr. Chairman, let me conclude my stating my full support of the Hathaway amendment which places a higher priority on the Nation's educational needs.

Mr. PEPPER. Mr. Chairman, I rise in support of the amendment currently on the floor. The legislation reported from the distinguished Committee on Appropriations was a promising sign of renewed interest in the problems of educa-

tion in this country. This amendment would make that bill even stronger.

We are all interested in and concerned about the quality of education and educational programs in this country. I have a special concern born of my duties as chairman of the Select Committee on Crime. The ravages of juvenile crime are known to all. The statistics have been too often repeated. Yet only recently have we come to appreciate the vital role of the educational system in preventing and combating juvenile crime and delinquency.

Mr. Chairman, I find it appalling that the present administration, which talks so much of lowering the juvenile crime rate and helping young people to avoid a life of crime, can treat this pressing problem in such a cavalier manner. The agencies charged with administering programs that could have a direct and beneficial effect on juvenile crime are forced by the administration to request far less than their authorizing legislation permits. The dropout prevention program, of which more will be said later, is a case in point. Although this program has done excellent work with its limited resources in the past, it is still limited to requesting \$20 million less than its congressional authorization.

Happily, the Appropriations Committee has seen fit to ignore the arbitrary limitations placed on the agencies and to provide for more money than requested for several of the programs dealing with delinquent and underprivileged youth. This action is most laudable. However, the amendment now before us goes even further. In seeking to increase even the House Appropriations Committee figure by \$728 million, this amendment will pave the way for the greatest assault ever on the problems of educational retardation, vocational training, and dropout prevention. If these programs are strengthened and extended, the fight against juvenile crime will be concomitantly more successful.

Several sections of the bill and the amendment fund programs that will directly affect delinquent and pre-delinquent young people. These programs are deserving of special mention.

One of the major recommendations of the House Select Committee on Crime in its report on "Juvenile Justice and Corrections" was that programs for educationally deprived children be maintained and extended. The committee heard continuously at hearings that many young people derive no benefit from their schooling. Among the causes of this is the inability of the educational system to reach certain young people. Present teaching methods have, in too many cases, simply not worked.

Programs under title I of the act were eminently successful in the last fiscal year. That does not mean we may rest on the laurels of past successes. The increase of this appropriation by 10 percent will enable ongoing programs to continue, and perhaps provide for some innovation. This program is probably the heart of the entire educational system, and no increase in its funds should be questioned.

Another appropriation that would be

increased by this amendment is the title II provisions for library resources. The Committee on Appropriations was so impressed by the success of the reading skills programs under this title that it saw fit to increase the appropriation \$5 million over the administration's request. This amendment would bring the total increase to \$10 million.

Mr. Chairman, the existence of illiteracy in this country, at this time is incomprehensible. Yet, sadly, there are far too many people who just cannot read. The effect of this is most unhappily manifested in a study privately undertaken in Philadelphia. That study showed that virtually all the young people appearing as defendants in juvenile court had reading levels significantly below the norm for their age and educational levels. This is but one of the nexuses that can be found between poor or deficient education and juvenile behavior of a criminal nature.

Our children must learn how to read, Mr. Chairman. This program will help them. It deserves all the support we can give it.

To me, one of the most important programs included in this appropriation is the dropout prevention program in title VIII of the Elementary and Secondary Education Act. I was privileged to testify on this appropriation before the subcommittee chaired by the distinguished gentleman from Pennsylvania (Mr. Flood). At that time, I pointed out that while these programs were authorized to ask for \$30 million, they only requested \$10 million. I urged the subcommittee to grant the full request, and indeed, to exceed it. The committee saw fit to grant the full \$10 million. This amendment would add an extra \$1 million. The increase, based on recent experience, will pay untold dividends.

The problems of the dropout are well known. Without education, a young person finds himself virtually without hope. Jobs, especially good jobs, will be impossible to obtain. Bitterness and frustration will rapidly appear. Antisocial and criminal activity will not be far behind. Witnesses at virtually all the hearings of the Select Committee on Crime have indicated a causal relationship between dropping out of school and criminal activity.

As we know, young people who drop out of school are faced with much idle time. Testimony before the Crime Committee has shown that this free, unused time too often leads young people into harmful activity. Whether it be experimentation with drugs or petty criminal conduct at first, such idleness and alienation can easily be conceived as the root causes of juvenile crime.

Nineteen programs are currently being run by the dropout prevention program administrators. Results of these programs and other helpful information are being distributed around the country by the U.S. Office of Education. The results of these programs are most gratifying. In the target areas where these programs were run, there was a decrease of 25 percent in the number of students dropping out. Mr. Chairman, if this success can be expanded and extended, we may be well on our way to solving one of

the most disturbing problems of our educational system.

A very important section of this bill, and another wherein the appropriation will exceed the request, is for projects in bilingual education.

America has always been proud to welcome people from other shores to this country; to give them a home. In my congressional district in Florida, we are quite proud of our sizable community of persons who came to our shores from Cuba. The need for specialized and intensive training of young people to whom English is not a native tongue is most obvious. I am very pleased that the committee has granted \$2 million in excess of the request for this program.

Another recommendation of the Select Committee on Crime in its report on "Juvenile Justice and Corrections" was the increase of funds for vocational training for young people. The bill would provide an increase of \$61 million for vocational training grants to the States. The amendment would provide an additional \$50 million.

Vocational training has only lately been recognized as a crime prevention method. Many young people have no interest in purely academic subjects, but they do wish to learn a trade. When vocational training is not available to these young people, they may lose all interest in continuing their education and drop out. The relationship between dropping out and criminal activity was mentioned earlier.

There is currently a program in Florida that proves this point. Several hard-core juvenile delinquents, young people who have committed several offenses, and all of whom are school dropouts, have been placed in a program teaching marine technology skills. Among these skills are shrimp and fish farming, small engine repair, and seamanship—all useful vocational endeavors. To date, none of these young people has returned to criminal activity, and they are well on their way to securing responsible, high-paying jobs.

Mr. Chairman, 80 percent of the students in high school today will never graduate from college. When added to the staggering number of high school dropouts, we are faced with a huge mass of people potentially unable to find a decent place in the labor market.

This program supports vocational education programs through grants to the States. These funds are used to pay costs incurred in providing vocational education programs, including teacher salaries, training of teachers, construction of facilities, purchase of training materials and equipment, development of curriculums and research studies.

We must help the young people who are not fortunate enough to go on to college. We must provide programs, in addition, for those young people who cannot grasp or who do not wish to receive an academic education. There are many, many young people whose only wish is to learn a trade so that they might go out and earn their living. When a young man can conceptualize the vocation he desires for his life work, we should

make the facilities for learning this trade available to him.

Mr. Chairman, the increase under this amendment may seem excessive at first blush. Fifty million dollars is a lot of money. When that figure is added to the increase over the appropriation for the last fiscal year, there may be some who will term it excessive. This is just not the case.

The skills the young people will learn under these programs will be their one asset when they have to face the cruel business world. The young people who will benefit from this bill are not the ones who will have wealthy families or college degrees to fall back on when the going gets rough. The economic turbulence hitting us today has made it quite difficult for those with advanced degrees; we can imagine what it does to the people with no skills whatsoever.

These people need our help, Mr. Chairman. The added appropriations will serve a purpose at least as useful as any other that the money in question could be applied to. We should not hesitate to spend money when the returns are so overwhelming.

My remarks do not encompass the entire amendment now before us, nor every category covered in the Appropriations Committee bill. I have tried to concentrate only on the areas where I have had direct, recent contact. I tell you with conviction that these programs have been underfunded in the past, and it is time we put a stop to that.

Earlier this session, the Congress passed a constitutional amendment to allow 18-year-olds to vote. These people must be prepared to exercise this sacred franchise. Through providing funds for educational programs, education for deprived people, remedial education, and vocational education, we can provide some assistance. We must help them so that they will have the perception and ability to be able to help all of us.

The Committee on Appropriations has done an excellent job of preparing this legislation. It trimmed many of the needless requests while providing adequately for the necessary programs. However, we must be more than adequate today. The future of our youthful resources is in as much danger as the natural resources of this country. Yet, we hear far more of the latter. We must prevent the problems of juvenile crime, illiteracy, and unemployment from getting out of hand. The time is now and we must act. The amendment on the floor will be a grand start, Mr. Chairman, and the expenditures now will reap dividends and rewards later on.

Mr. HORTON. Mr. Speaker, I rise in support of the amendment offered by my distinguished colleague, Mr. HATHAWAY.

While I disagree with the increases proposed for aid to federally impacted areas, the overall effect of the amendment—increased appropriations for education—must be the overriding consideration.

We are in the midst of what I feel is the most important debate since Congress convened in January. Each of us has the opportunity to make good our

promises to our constituents that we will redirect our resources toward solving our domestic problems.

Education opportunities to insure that young Americans, particularly the disadvantaged, reach their full potential can only be made available on a nationwide basis with substantial Federal help. Many of the education facilities and programs in both urban and rural areas across the country are seriously deficient. Without exception, the States, localities, and privately funded educational systems and institutions are facing severe limitations in available revenue and financial resources. While the entire educational system is faced with a funding squeeze at every turn, the Federal Government continues to contribute less than 8 percent of the total budget for education.

Despite the action taken by the Appropriations Committee to increase appropriations by \$101 million, H.R. 7016 still falls far short of the Nation's education needs. The additional increase of \$728.6 million offered by the Hathaway amendment is the bare minimum we can, in good conscience approve to begin to ease the revenue pinch which States and localities suffer as a result of increased demands on the educational system.

The amendment calls for significant increases for a number of important programs, including higher education, educationally deprived children, vocational and adult education and library resources. All of these must be given the funds they need to have impact and cannot be ranked less important than the countless other budget items we will consider in the months ahead.

Yesterday, President Nixon proposed a highly constructive educational revenue-sharing program. The Hathaway amendment would in no way compromise or preclude prompt consideration of the President's landmark proposal. Yet, even if such special revenue-sharing proposals were enacted, the level of Federal support to education must be examined as carefully as the type of Federal support.

In urging my colleagues to support the Hathaway amendment, I ask that we place on education assistance the importance and priority it deserves and adequately fulfill the promises we have made to solve, through education, many of the human problems we face in America.

Mr. BOLAND. Mr. Chairman, I rise in support of the package of amendments offered by my able colleague from Maine, Congressman HATHAWAY. These amendments, seeking \$728.6 million in additional funds for programs ranging all the way across the spectrum of American education, would answer one of this country's most pressing needs. Before saying anything further, Mr. Chairman, I want to make one thing plain: The money sought in these amendments is the very least—yes, the absolute minimum—needed to keep U.S. education from foundering. Beset with soaring costs and lagging incomes for the past decade, American schools are sinking deeper and deeper into a financial morass that now threatens to engulf them. This is not

empty talk, Mr. Chairman. It is stark reality.

What is at stake here is American education itself, the cornerstone of a society envied and celebrated around the world. Our schools turn out the scientists, the doctors, the technicians, the craftsmen, the public leaders, the businessmen needed to maintain our way of life. Is it prudent, Mr. Chairman, to jeopardize that way of life in the name of "economy?" Indeed, is it even sane?

It is no secret that school costs are moving upward at a rate unprecedented in American history. Construction costs alone, among the most burdensome faced by our schools, have leaped almost beyond reach. Teachers' salaries, too, are soaring. Virtually every service and product used by American schools, in fact, is increasing alarmingly in cost. Yet, despite this disheartening trend, the Federal commitment to education is dwindling. The U.S. Government's financial assistance to schools, estimated as a percent of revenue for public elementary and secondary schools, has dropped from a high of 8 percent in 1968 to 7.2 percent in 1970.

This, I am convinced, is nothing short of unconscionable.

The Congress has made an explicit pledge to help maintain this country's educational excellence, and the Congress must honor that pledge.

Let me cite just a few of the programs clearly endangered by the committee bill—a bill that, astonishingly, falls nearly \$8.8 billion below the authorization level sanctioned by the Congress. The impact aid program—the program offering financial assistance to school systems charged with educating the children of Federal workers and military personnel—would end up with only token funding. Their tax bases shrinking year by year, the schools eligible for impact aid are caught up in a financial plight so severe it threatens their very existence. Armed Forces personnel, living on military bases or in transient apartments, contribute little to a community's sources of revenue. Federal workers, similarly, tend to move in and out of a community as contract jobs wax and wane. They, too, could hardly be described as exemplary taxpayers. Without adequate impact aid—the kind of aid proposed in Mr. HATHAWAY'S amendments—school systems throughout the United States might be plunged into educational and administrative chaos. Chicopee, Mass., for example, a community within my congressional district, would lose funds it desperately needs.

The committee bill, moreover, would bring to an abrupt halt the progress of one of the most promising programs within the Office of Education—ESEA title III, the program that stimulates innovative and imaginative educational projects. Recommending the same budget granted to title III last year—a budget only distantly comparable to 1970's in buying power, since inflation has pushed up costs nearly 10 percent—the committee bill would blunt this program's effectiveness. No new title III projects could be started. Indeed, projects now in operation might not survive intact.

Other educational programs, just as significant as impact aid and title III, are in peril. Upward Bound and Talent Search, programs that prepare the poor and disadvantaged for higher education, are striking examples. So are the Office of Education's library programs—programs for construction, supplementation and research.

Suffice it to say, Mr. Chairman, that the Hathaway amendments are quite literally crucial to a host of educational programs this country needs.

I urge prompt passage of the amendments.

Mr. RYAN. Mr. Chairman, I rise in support of the amendment offered by our distinguished colleague from Maine (Mr. HATHAWAY), to H.R. 7016, the Office of Education appropriations bill for fiscal year 1972. This amendment proposes to increase the total appropriation by \$728.9 million over the \$4.77 billion which the committee bill provides.

However, it should be pointed out that H.R. 7016 exceeds the totally inadequate administration request by \$101 million. But, even given this added amount, the bill still falls almost \$9 billion below the amount which could be appropriated, were we to provide funds up to the amounts authorized. Even the Hathaway amendment, which I support, falls short. There would still be approximately \$8 billion separating the amount which Congress has said could be spent for the federally funded education programs, and the amount which the bill today, as amended by the Hathaway amendment, would provide in actual dollars.

The programs funded by the Office of Education appropriations bill are enormously important. After all, if we cannot provide adequate education for the people of this country, we certainly fall in one of the most basic aspects of our national life.

I will not review every program involved, but I would call attention to a few of them in order to illustrate, in program terms, what we are talking about when we say more money is needed.

Title I of the Elementary and Secondary Education Act provides financial assistance for disadvantaged children. The purpose is to alleviate educational deficiencies resulting from an impoverished environment and inadequate cultural, health, social, and educational experiences. In New York State, in fiscal year 1970, 653 school districts participated in 911 programs.

For fiscal year 1971, \$1.5 billion was appropriated for title I. The administration requested the same amount for this fiscal year, and that is what the committee has reported out. The amount which could be appropriated, were the full authorization met, would be \$3,642,800,000—more than \$2 billion more than is being provided by H.R. 7016. The Hathaway amendment adds an additional \$150 million—clearly a good step in the right direction but, in actuality, still too little for such an extremely important program. I think an excerpt from the recently published study by the Committee for Economic Development, entitled "Education for the Urban Disadvantaged," aptly states the need:

While the American schools have generally provided middle and upper income youth with the intellectual tools necessary for success in our society, they have commonly failed to cope effectively with the task of educating the disadvantaged youth in our urban centers. To an alarming extent they have simply swept disadvantaged youth under the educational rug.

Money alone is certainly no answer. But its lack certainly forecloses any answers.

The dropout prevention program is funded with \$10 million by the Office of Education appropriations bill before us. This matches the administration request, but it falls \$21.5 million below the amount which has been authorized. The purpose of this program is to develop and demonstrate educational practices in dropout prevention which show promise in reducing the number of children who fail to complete their elementary and secondary education.

The Hathaway amendment adds \$1 million for this program—the amount needed to meet costs of education increases and minimal program expansion beyond the limited demonstrations now in operation. But, that is not enough. This program should be fully funded.

The Hathaway amendment is enormously important, because it does provide funds for an especially significant program—impact aid for children residing in low-income public housing. The bill before us provides nothing. The administration requested nothing. The amendment provides \$75 million, and that alone is all the justification needed to support the amendment.

This program—new in the law—provides Federal funds where there has been a loss in tax dollars. When the Federal Government encourages public housing construction, the land involved becomes tax exempt. It has been estimated that revenues lost by public housing amount to somewhat less than \$100 per pupil. And this figure does not even take into account revenues lost from alternate land use by private industry, and the indirect revenues, as well, flowing therefrom, in cases where industry has no other realistic site on which it can locate within the district.

There are numerous other programs underfunded by the Office of Education appropriations bill, H.R. 7016. Some of them receive additional funds under the amendment offered by the gentleman from Maine (Mr. HATHAWAY). For example, the library resources program is funded at \$80 million, the same amount the administration requested, but \$131.3 million below the authorization. The Hathaway amendment adds \$5 million. College teacher fellowships are funded at \$26.91 million. The amendment adds \$8.4 million. The education for the handicapped program is only funded at \$115 million by H.R. 7016—\$5 million more than the administration requested, but a massive \$321.3 million below the authorized level. The Hathaway amendment adds \$5 million. Vocational education receives \$558 million under the committee bill, almost \$90 million more than the administration requested, but \$680.6 million below the authorization. The amendment adds \$121.8 million. Upward

Bound receives \$50.1 million under H.R. 7016; the Hathaway amendment adds \$5 million. Higher education programs receive \$1,215,451,000 under the committee bill; the Hathaway amendment adds \$216 million.

I realize that this recitation of figures may diminish one's appreciation for the actual programs involved. However, I feel it essential to point out that we simply are not providing the funds that could be, and should be, provided for education—education for children, for college students, for the disadvantaged, for adults, for the handicapped.

There is one program, which I have previously discussed during the debate, which is not funded in an additional amount by the Hathaway amendment. This is the bilingual education program, which receives \$27 million under the committee bill, a full \$73 million less than the authorization. I very much regret the absence of additional funds in the amendment, and would have myself offered an amendment to provide such funds, if I did not believe that to do so would, considering the parliamentary situation on the floor, have a deleterious effect. However, I am determined, as I know many of my colleagues are, to urge further funding when the other body takes action on the Office of Education appropriations bill. The bilingual education program is of enormous importance. It is particularly essential in New York City, which has such a large non-English-speaking population. Yet the program has consistently, without exception, been underfunded. This simply is not tolerable. We hold out the promise of education, in both the mother tongue and English, to our non-English-speaking citizens, and then we provide so little money.

The Hathaway amendment must be adopted. It does not provide enough additional funds, but it does provide some.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maine (Mr. HATHAWAY).

TELLER VOTE WITH CLERKS

Mr. HATHAWAY. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. HATHAWAY. Mr. Chairman, I demand tellers with clerks.

Tellers with clerks were ordered, and the chairman appointed as tellers MESSRS. HATHAWAY, MICHEL, FLOOD, and PERKINS.

The Committee divided, and the tellers reported that there were—ayes 188, nays 191, answered "present" 1, not voting 53, as follows:

[Roll No. 52]  
[Recorded Teller Vote]

AYES—188

|           |               |               |
|-----------|---------------|---------------|
| Abourezk  | Blaggi        | Carey, N.Y.   |
| Abzug     | Biester       | Carney        |
| Adams     | Bingham       | Celler        |
| Addabbo   | Blanton       | Chisholm      |
| Albert    | Blatnik       | Clark         |
| Anderson, | Boggs         | Conyers       |
| Calif.    | Boland        | Cornan        |
| Anderson, | Bolling       | Cotter        |
| Tenn.     | Brademas      | Culver        |
| Annunzio  | Brasco        | Daniels, N.J. |
| Aspin     | Brinkley      | Danielson     |
| Badillo   | Brooks        | de la Garza   |
| Baring    | Burke, Mass.  | Dellums       |
| Barrett   | Burlison, Mo. | Denholm       |
| Begich    | Burton        | Dent          |
| Bell      | Byrne, Pa.    | Diggs         |
| Bergland  | Byron         | Dingell       |

|                 |                |              |
|-----------------|----------------|--------------|
| Donohue         | Kastenmeier    | Reid, N.Y.   |
| Dorn            | Kazen          | Reuss        |
| Dow             | Kee            | Riegle       |
| Drinan          | Kluczynski     | Rodino       |
| Dulski          | Koch           | Rogers       |
| Eckhardt        | Kyros          | Roncallo     |
| Edmondson       | Leggett        | Rooney, N.Y. |
| Edwards, Calif. | Link           | Rooney, Pa.  |
| Ellberg         | McCormack      | Rosenthal    |
| Fascell         | McFall         | Rostenkowski |
| Foley           | Madden         | Roush        |
| Ford,           | Mathis, Ga.    | Roy          |
| William D.      | Mazzoli        | Roybal       |
| Fraser          | Meeds          | Runnels      |
| Fulton, Pa.     | Melcher        | Ryan         |
| Fulton, Tenn.   | Metcalfe       | St Germain   |
| Fuqua           | Mikva          | Sarbanes     |
| Gallifanakis    | Miller, Calif. | Scheuer      |
| Garmatz         | Minish         | Sebelius     |
| Gaydos          | Mink           | Sisk         |
| Gettys          | Mitchell       | Staggers     |
| Gibbons         | Mollohan       | Stanton,     |
| Gonzalez        | Monagan        | James V.     |
| Grasso          | Moorhead       | Steed        |
| Griffiths       | Morgan         | Stephens     |
| Gude            | Moss           | Stokes       |
| Halpern         | Murphy, N.Y.   | Stratton     |
| Hamilton        | Nedzi          | Stubblefield |
| Hammer-         | Nix            | Stuckey      |
| schmidt         | O'Bye          | Sullivan     |
| Hanley          | O'Hara         | Symington    |
| Harrington      | O'Konski       | Taylor       |
| Hathaway        | O'Neill        | Tiernan      |
| Hawkins         | Patman         | Udall        |
| Hays            | Patten         | Ullman       |
| Hechler, W. Va. | Pepper         | Van Deerlin  |
| Helstoski       | Perkins        | Vanik        |
| Henderson       | Pickle         | Vigorito     |
| Hicks, Wash.    | Pike           | Watts        |
| Holifield       | Podell         | White        |
| Horton          | Powell         | Whitehurst   |
| Howard          | Preyer, N.C.   | Wilson,      |
| Hungate         | Price, Ill.    | Charles H.   |
| Ichord          | Pucinski       | Wolf         |
| Jacobs          | Quillen        | Wright       |
| Johnson, Calif. | Randall        | Yates        |
| Jones, N.C.     | Rangel         | Zablocki     |
| Karth           | Rees           |              |

NOES—191

|                |                 |                 |
|----------------|-----------------|-----------------|
| Abbitt         | Eshleman        | Mann            |
| Abernethy      | Evans, Colo.    | Martin          |
| Andrews, Ala.  | Findley         | Mathias, Calif. |
| Andrews,       | Fish            | Mayne           |
| N. Dak.        | Fisher          | Michel          |
| Archer         | Flood           | Miller, Ohio    |
| Arends         | Flowers         | Mizell          |
| Ashbrook       | Ford, Gerald R. | Montgomery      |
| Aspinall       | Forsythe        | Morse           |
| Baker          | Fountain        | Mosher          |
| Belcher        | Frelinghuysen   | Myers           |
| Bennett        | Frenzel         | Natcher         |
| Betts          | Frey            | Nelsen          |
| Blackburn      | Gialmo          | Nichols         |
| Bow            | Goldwater       | Passman         |
| Bray           | Goodling        | Pelly           |
| Broomfield     | Griffin         | Pettis          |
| Brozman        | Gross           | Peyster         |
| Brown, Ohio    | Gubser          | Pirnie          |
| Broyhill, N.C. | Hagan           | Poage           |
| Buchanan       | Hall            | Poff            |
| Burke, Fla.    | Harsha          | Price, Tex.     |
| Burleson, Tex. | Hastings        | Purcell         |
| Byrnes, Wis.   | Hillis          | Quie            |
| Cabell         | Hogan           | Railsback       |
| Caffery        | Hosmer          | Rarick          |
| Camp           | Hull            | Reid, Ill.      |
| Carter         | Hunt            | Rhodes          |
| Casey, Tex.    | Hutchinson      | Roberts         |
| Cederberg      | Jarman          | Robinson, Va.   |
| Chamberlain    | Johnson, Pa.    | Robison, N.Y.   |
| Chappell       | Jonas           | Rousselot       |
| Clancy         | Keating         | Ruppe           |
| Clausen,       | Keith           | Ruth            |
| Don H.         | Kemp            | Sandman         |
| Clawson, Del   | King            | Satterfield     |
| Cleveland      | Kuykendall      | Saylor          |
| Collier        | Kyl             | Scherle         |
| Collins, Tex.  | Landgrebe       | Schmitz         |
| Conable        | Landrum         | Schneebell      |
| Conte          | Latta           | Schwengel       |
| Corbett        | Lennon          | Scott           |
| Coughlin       | Lent            | Shoup           |
| Crane          | Lloyd           | Shriver         |
| Daniel, Va.    | Lujan           | Sikes           |
| Davis, Wis.    | McClory         | Slack           |
| Dellenback     | McCollister     | Smith, Calif.   |
| Dennis         | McDade          | Smith, Iowa     |
| Derwinski      | McDonald,       | Smith, N.Y.     |
| Devine         | Mich.           | Snyder          |
| Dickinson      | McEwen          | Spence          |
| Downing        | McKevitt        | Springer        |
| Duncan         | McKinney        | Stafford        |
| duPont         | McMillan        | Stanton,        |
| Edwards, Ala.  | Mahon           | J. William      |
| Erlenborn      | Mailliard       | Steiger, Wis.   |

|                |             |             |
|----------------|-------------|-------------|
| Talcott        | Wampler     | Winn        |
| Teague, Calif. | Ware        | Wyatt       |
| Teague, Tex.   | Whalen      | Wydler      |
| Terry          | Whaley      | Wylie       |
| Thompson, Ga.  | Whitten     | Wyman       |
| Thomson, Wis.  | Widnall     | Young, Fla. |
| Thone          | Wiggins     | Young, Tex. |
| Vander Jagt    | Williams    | Zion        |
| Veysey         | Wilson, Bob | Zwach       |

ANSWERED PRESENT—1

Gallagher

NOT VOTING—53

|                |                |                |
|----------------|----------------|----------------|
| Alexander      | Green, Oreg.   | McKay          |
| Anderson, Ill. | Green, Pa.     | Macdonald,     |
| Ashley         | Grover         | Mass.          |
| Bevill         | Haley          | Matsunaga      |
| Brown, Mich.   | Hanna          | Mills          |
| Broyhill, Va.  | Hansen, Idaho  | Minshall       |
| Clay           | Hansen, Wash.  | Murphy, Ill.   |
| Collins, Ill.  | Harvey         | Pryor, Ark.    |
| Colmer         | Hébert         | Roe            |
| Davis, Ga.     | Heckler, Mass. | Seiberling     |
| Delaney        | Hicks, Mass.   | Shipley        |
| Dowdy          | Jones, Ala.    | Skubitz        |
| Dwyer          | Jones, Tenn.   | Steele         |
| Edwards, La.   | Long, La.      | Steiger, Ariz. |
| Esch           | Long, Md.      | Thompson, N.J. |
| Evins, Tenn.   | McCloskey      | Waggoner       |
| Flynt          | McClure        | Waldie         |
| Gray           | McCulloch      | Yatron         |

Mr. MOLLOHAN. Mr. Chairman, I mistakenly voted "nay." I intended to vote "yea." I ask unanimous consent to change my vote to "yea."

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

There was no objection.

Mr. GALLAGHER. Mr. Chairman, I vote "present."

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

For carrying out title I of the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and the Act of September 23, 1950, as amended (20 U.S.C., ch. 19), \$577,000,000, of which \$562,000,000, including \$37,650,000 for amounts payable under section 6, shall be for the maintenance and operation of schools as authorized by said title I of the Act of September 30, 1950, as amended, and \$15,000,000, which shall remain available until expended, shall be for providing school facilities as authorized by said Act of September 23, 1950: *Provided*, That none of the funds contained herein shall be available to pay any local educational agency in excess of 68 per centum of the amounts to which such agency would otherwise be entitled pursuant to section 3 (b) of title I: *Provided further*, That none of the funds contained herein shall be available to pay any local educational agency in excess of 90 per centum of the amounts to which such agency would otherwise be entitled pursuant to section 3(a) of said title I if the number of children in average daily attendance in the schools of that agency eligible under said section 3(a) is less than 25 per centum of the total number of children in such schools.

POINT OF ORDER

Mr. O'HARA. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. O'HARA. Mr. Chairman, I make a point of order against the provisos appearing on page 3, beginning at line 4 and running through line 15.

Mr. Chairman, the point of order is that the language referred to constitutes legislation in an appropriation bill. It provides a different method of making adjustments where necessitated by appropriations than that provided in the

authorizing legislation; to wit, in section 203(c) (4) of Public Law 91-230.

In addition, I make the further point of order that the language referred to would require the Executive to make certain judgments and decisions and take certain ministerial actions not otherwise required of him by law.

In making these points of order, Mr. Charman, I rely particularly on the ruling of the Chair of June 26, 1968, found in the CONGRESSIONAL RECORD, volume 114, part 14, page 18894 for that date, the ruling of February 19, 1970, found in the CONGRESSIONAL RECORD, volume 116, part 3, page 4015 for that date and the ruling of April 14, 1947, found in the CONGRESSIONAL RECORD volume 116, part 10, page 11676 for that date.

The CHAIRMAN. Does the gentleman from Pennsylvania desire to be heard on the point of order?

Mr. FLOOD. Thank you, Mr. Chairman.

Mr. Chairman, the language to which the gentleman objects is clearly a limitation on the use of funds contained in this bill. The language is germane and it is completely negative. In the words of Chairman Nelson Dingley of Maine, which are quoted in Cannon's procedure in the House of Representatives—Chairman Dingley said:

The House in committee of the whole has the right to refuse to appropriate for any object, either in whole or in part, even though that object may be authorized by law. That principal of limitation has been sustained so repeatedly that it may be regarded as a part of the parliamentary law of the Committee of the Whole.

Mr. Chairman, this language in the bill, to which objection has been made, is simply an exercise of that right to refuse to appropriate for any object, in whole or in part, even though that object may be authorized by law.

I trust the Chair will overrule the point of order.

Mr. MICHEL. Mr. Chairman, I agree with everything the gentleman from Pennsylvania has said. I, too, feel that this language is clearly in order.

I would like to add just one point and that is with respect to the question of whether or not this would require additional duties on the part of the Commissioner of Education or other executive employees. Mr. Chairman, the answer is "No." On the surface it might appear that these limitations would require the Commissioner to determine the total enrollment of each school as well as the number of federally connected children, and to calculate the percentage the latter is of the former. But, Mr. Chairman, he is already required to do this by the enabling legislation. For instance, section 3(C) of Public Law 874, as amended, refers to the "Number of such children equal to 3 per centum or more of the total number of children who were in average daily attendance during such year."

There are other similar provisions I could quote, but there is no point in taking the time to do so; the fact is that these limitations do not impose new duties.

The CHAIRMAN (Mr. HOLLIFIELD). The Chair is prepared to rule.

The precedents which the gentleman from Michigan (Mr. O'HARA) pointed to are quite familiar to the Chair. There is a subtle difference between those amendments and the language that is before us.

I have examined these two provisions appearing in the bill on page 3 and I have reviewed the provisions of Public Law 874, including the two rulings which were made by the Chair a year ago on April 14 and February 19.

The first proviso uniformly reduces the amount available to the school districts which are entitled to funds under section 3(b) of Public Law 874, which is the section of the law which applies to local educational agencies where the impact is due to children of parents who reside or work on Federal property.

The second proviso limits the entitlement of certain local educational agencies where the impact is due to school attendance of children whose parents both reside and work on Federal property as determined by section 3(a) of Public Law 874 if the number of such children is less than 25 percent of the total number of children in such school.

Under the law, the Commissioner of Education is already required to determine the number of such children in this category in average daily attendance and the schools so affected. Determining these districts or local agencies where the 25-percent limitation applies thus presents the Commissioner with no substantial additional duties. He is already required by basic law to make that determination.

The Chair feels the decision of the committee is valid; that these provisos are in fact limitations couched in negative language on the funds in the bill. The Chair therefore overrules the point of order.

#### WIRETAPPING TO BE CHECKED

(Mr. HAYS asked and was given permission to proceed out of order.)

Mr. HAYS. Mr. Chairman, I ask unanimous consent to speak out of order for the purpose of making an announcement.

Mr. Chairman, in my capacity as chairman of the Committee on House Administration and after consultation with the Speaker, I am going to enter into a contract with a reputable electronics firm to provide a check on any committee phone or any Member's phone who may request it to find out if there is any electronic surveillance on their phone lines. I am sure, if there is any, by the FBI or by anybody else, they will take them off so that when the check is made none will be found, but I propose to keep this service on an irregular basis at any time in the future that any Member may request it. I do not know whether any phones are tapped or not and I cast no political aspersions, but in Ohio one faction of the Republican Party had a couple of members of the other faction arrested because one faction of the party was bugging the other faction's phones. So phones can be bugged by police agencies and a lot of other people.

And, if any Member feels his phone is being tapped, if he will let the Committee on House Administration know within a few days we will provide the

service with which to find out whether his phone is, in fact, bugged.

Mr. THOMPSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Georgia.

Mr. THOMPSON of Georgia. Is there any means by which you can determine who tapped the telephone?

Mr. HAYS. No. I think, however, if we found a tap we would have to make a guess as to whether it was an FBI or Republican Party or the tap of someone else.

Mr. THOMPSON of Georgia. Mr. Chairman, will the gentleman yield further?

Mr. HAYS. Yes.

Mr. THOMPSON of Georgia. Then, it would be possible for someone to have their telephone tapped and blame it on the FBI?

Mr. HAYS. Well, I do not think that is quite possible, because I think we can run down the source of the tap, and if he had his own phone tapped, I think we would find out about it.

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

Mr. HAYS. I yield to the gentleman from Texas.

Mr. GONZALEZ. In case such things do go on is there any way you could protect a Member on his royalty rights for anything that is published?

Mr. HAYS. I do not want to mention any names, but I contacted two Members and asked them if I could have the royalty rights to their phones between 5 o'clock in the evening and 9 o'clock.

#### AMENDMENT OFFERED BY MR. LENNON

Mr. LENNON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LENNON: on page two, line twenty-three, strike out the figure \$577,000,000 and substitute in lieu thereof the figure \$607,580,000 and strike out the figure \$562,000,000 and substitute in lieu thereof the figure \$592,580,000. On page three, line six, strike out the figure 68 and substitute in lieu thereof the figure 73.

Mr. LENNON. Mr. Chairman, I would appreciate it if I could get the attention of the members of the committee. I thank the membership for giving me just a few minutes to explain what I want you to hear.

Yesterday on the floor we considered this and I know this situation in which I am involved does not involve the entire membership of this House. I am talking about Public Law 874 and more particularly category B students and the funding provided for them in this appropriation bill.

Let me tell you my own personal situation. In one county in my congressional district, Cumberland County, there is located both Fort Bragg and Pope Air Force Base. There are two school districts in this county. Last year at this time when I took the figures—and they were accurate figures and I can document them for you if you so desire—there were 17,582 category B pupils in this one county. The preponderant majority of the children, both boys and girls, are the children of men wearing the uniform of this country who serve

at Fort Bragg or either Pope Air Force Base.

Now, what is the situation? We do not do there like we do in Washington, D.C., where the Federal Government makes an appropriation to the District of Columbia in lieu of the many Federal buildings located here.

Now, what is taking place? I cannot blame the man in uniform because part of his inherent rights and fringe benefits are involved, but the preponderant majority of those men who are the fathers of these 17,582 children attend the public schools of those two school districts of this county. They live off the base. Under the Soldiers and Sailors Relief Act of 1946, as amended, they are not required to register their motor vehicles, their automobiles for the purpose of property taxes.

The predominant majority of them live where? In a mobile home, in a trailer park, and that is personal property that is not subject to taxation. Where do they trade? The biggest PX and the biggest commissary in the world on an annual dollar volume are at this base. That is a right that the service man has, and ought to have. The concessionaires are there. So the community does not generate from the man in the uniform moneys that can be used in school purposes.

What I am suggesting and asking the Members to do is to raise this figure from 68 percent of their entitlement, it is 68 percent under the committee bill, and I am advised that the subcommittee considered this matter, and there was an effort made to raise it to 73 percent—actually, they ought to get at least 90 percent, but I am asking for 73 percent, and for this reason: Why should the other taxpayers take the responsibility for putting these 17,500 children through the public schools when they do not contribute anything, and the parents do not contribute anything, either through owning property, personal or real, and the employer, the Federal Government, the DOD, does not contribute anything?

I urge the Members to adopt this amendment. It is reasonable, and it is a practical amendment. I ask the Members to adopt it and let it go to conference, and then I will accept whatever decision is made by the respective representatives of the committee on conference for the House.

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

Mr. LENNON. I yield to my distinguished friend, the gentleman from Texas (Mr. KAZEN), who is a cosponsor of this amendment.

Mr. KAZEN. I would ask the gentleman whether or not the 73 percent is the current figure that is being allowed our impacted school districts?

Mr. LENNON. That is my understanding.

Mr. KAZEN. And the gentleman by this amendment is not raising it above what they are now entitled to, or were entitled to this past year; is that right?

Mr. LENNON. That is my understanding, I will say to the gentleman from Texas.

Mr. KAZEN. Mr. Chairman, I commend the gentleman for offering the

amendment, and am proud to be a cosponsor.

Mr. LENNON. I would ask my colleagues, my friends, what they would do if they were in the same respective position some of us are in? And as we reach the goal hopefully of an all-volunteer service more and more are going to devote their entire lives to careers in the military service, and this is going to escalate the number of children and all children must be educated in the public schools, and somebody has to pay a little part of that education.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PERKINS. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, this points up the dilemma that this Congress is confronted with. The gentleman from North Carolina has stated the facts correctly. It will take \$630 million if we are going to support A and B category children at 90 percent of their entitlement. The committee bill would provide less than 70 percent.

Mr. LENNON. Mr. Chairman, if the gentleman will yield, it presently provides only 68 percent, and I am shooting for the goal of at least 73 percent with the figures I specified.

Mr. PERKINS. I support the amendment offered by the gentleman from North Carolina, but I personally feel the gentleman has not gone high enough. I think we ought to go to 90 percent, but I am supporting the 73-percent amendment. What is being said during the debate on this amendment about how far we are from meeting the needs can be said about all of the programs involved in the Hathaway package. In many programs the disparity is greater than in the impact program.

Mr. Chairman, I support the amendment.

I will support all amendments to improve education. I hope the gentleman's amendment is adopted.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I am glad to yield to the gentleman.

Mr. GERALD R. FORD. Would the gentleman give us the rationale for having Federal aid to impacted children in areas surrounding the District of Columbia where the pupils are the children of Members of Congress and are counted for the qualification of aid to impacted schools.

Mr. PERKINS. Let me say that there has been criticism of the program and perhaps there are certain injustices in the program. There will be injustices always when you have an underfunded situation. That is what I tried to point out in my statement. The situation described by the gentleman from North Carolina actually exists and must be corrected.

It is hard to get absolute equality in any instance in trying to write legislation. But, by and large, the needs of the B children throughout the country are legitimate. The gentleman talks about the children in the suburbs. I hope he will consider the B children here in the District of Columbia also.

Let me reiterate my support for the amendment and my concern that we need additional funding from the Federal Government for title I of the Elementary and Secondary Education Act, for college facilities, and for other educational programs. We tried to add less than a billion dollars—and it is going to take some \$700 million or \$800 million in additional funds just to keep things going at previous levels.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman.

Mr. GERALD R. FORD. I have asked a serious question and I have not been given a reply.

Mr. PERKINS. Let me say to my distinguished colleague that he is just picking out one small aspect of the whole program. As I say, there are some injustices in connection with that program particularly during underfunded situations. Considering that the greatest needs, are in higher education, in connection with the programs under the Elementary and Secondary Education Act and in vocational education, there will be greater injustice if we take care of the impacted program and not take care of the others.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield further?

Mr. PERKINS. I continue to yield to the gentleman.

Mr. GERALD R. FORD. The gentleman from Kentucky is chairman of the Committee on Education and Labor and this basic and substantive legislation comes within the jurisdiction of that committee.

Mr. PERKINS. That is correct and I hope in the future we can have more of a meeting of the minds with the House Committee on Appropriations.

Mr. GERALD R. FORD. Let me just ask the gentleman, because he has admitted there are inequities and injustices in this legislation, and that is patently true—when is the gentleman going to have some hearings to try to correct those admitted injustices that are long overdue so far as correcting them is concerned?

Mr. PERKINS. Let me say to my distinguished colleague that during the past year, since the last appropriation bill was on the floor of the House, the distinguished gentleman from Illinois (Mr. PUCINSKI) has held 10 days of hearings. Every Member of this body was invited and would have been welcomed to present testimony.

Mr. SMITH of Iowa. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am at least a little bit encouraged. I heard the chairman of the Committee on Education and Labor say that there are injustices in this program and that they should be corrected. I wish they would go ahead in that committee and correct them.

As he said, last year they did have hearings. They have had a lot of hearings and I appeared at the hearings and other Members appeared at the hearings, but they did not even report a bill out of the subcommittee.

Now I think we are getting ourselves

in an untenable position here. We find that there are districts that deserve some impact aid. But as long as the abuses are not corrected, then they say to appropriate the full amount so that those who do not deserve aid get it right along with those who do deserve it.

I say that as long as bad abuses are still in the program and that program is not changed, we surely need to hold down the appropriations in that category that do not deserve the attention.

In this bill, we give 100 percent to category A students where they exceed 25 percent in the district. We also provide 90 percent for those category A students in other districts.

The only ones who may be cut back maybe are the B's. It says in the bill 68 percent. But I point out that we do not know for sure how many pupils there are who are eligible. We know that there has been a substantial cutback in the Defense Department. The budget estimate was based upon last year's level of activity in the Defense Department. So there may be enough money for more than 68 percent for B's.

In addition, I point out that one of the glaring examples of inequity in this program is that some local school districts get the national average—and that amendment was put in in 1958—they receive the national average even though they do not in their district spend that much money. In fact, some of the districts that are being paid impact-aid spend less on the children than the national average and spread receipts to help pay for schooling on federally connected pupils.

This abuse, of course, is one of the biggest abuses. It totals about \$160 million in entitlement in this program. There are some districts that deserve more money that are not getting enough. New York and Massachusetts, for example, are two States that spend a lot of money per pupil, but the deserving ones do not get enough because we have this drain off, this siphoning off in this program due to provisions that were put in the act in 1958, and it does not appear that there is any serious attempt to get it out as long as we will appropriate enough money for nearly full funding this program with abuses.

So I say that while some districts do need money, the only alternative we seem to have is to hold down the B category until we get a little better program and some of the abuses out of the present program. This would encourage the deserving ones to work toward curing the abuses.

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

Mr. SMITH of Iowa. I yield to the gentlewoman from Hawaii.

Mrs. MINK. I thank the gentleman for yielding. In your statement you said it may not necessarily be that the 68 percent limitation will apply to the B's. As I read the language of the bill, it says that none of the funds shall be available to pay any of the B districts in excess of 68 percent. So in case the estimates that have been presented to your committee or to the Congress or that have been developed by HEW are wrong

and there are extra dollars available, the proviso that you have placed in the bill would prevent any payment over the 68 percent.

Mr. SMITH of Iowa. It is very simple, I will tell the gentlewoman. Around here we seem to have two forces on education appropriations bills because some of the members of the Education and Labor Committee try to interfere with the appropriating process. So we are limited in correcting abuses in the appropriations bill and in doing what is equitable and right. Since strict application of the rules is demanded, we must have language that is air-tight and which comes within the rules of the House rather than bending to provide more equity and correct abuses. However, the Senate does not operate under such restrictive rules. They can knock out the 68 percent maximum and permit it to go higher to the extent funds are available.

This situation arises because certain members of your Education and Labor committee have been more interested in upsetting the appropriation process than working to bring about equity in this program.

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

Mr. SMITH of Iowa. I yield to the gentleman from North Carolina.

Mr. LENNON. Assuming the accuracy of the statement that I have made, who should pay for the support of the children in the schools to which I referred?

Mr. SMITH of Iowa. I believe the first thing for you to do in your case is to have the people in your district start pressuring the authorizing committee to take the abuses out of the program so the money can go to those who deserve it instead of teaming up with those who do not deserve the money.

Mr. LENNON. You speak of errors in certain terms, but you are perpetuating by your statement and position an inequity on certain communities by your unwillingness to meet this situation.

Mr. SMITH of Iowa. We are not. The basic law is doing that.

Mr. LENNON. But you do not recognize the inequity, as I understand it, by your unwillingness to accept at least a 5-percent increase.

Mr. SMITH of Iowa. No, I do not think that that is a correct statement.

Mr. LENNON. You do not have in your district a problem such as I have.

Mr. SMITH of Iowa. I have six of those districts.

Mr. LENNON. What county in your district has 17,582 category B pupils with 82 percent of them children of people in the military service? Seventy-two percent are living in trailers, and you cannot get a dime out of them for support of the schools.

Mr. SMITH of Iowa. I will say that the people in my district spend more than the national average, and they do not receive more for any pupils than they spend.

Mr. PUCINSKI. Mr. Chairman, much has been said about the impact and bill, and I believe the House ought to be apprized of the facts. We had before our

subcommittee the President's impact reform bill. The President had sent this message to the House a year or more ago and had asked for early consideration. We held hearings, and we soon learned from those hearings that one thing you do not do around here is to shoot Santa Clause. I do not agree with my colleague from Iowa that only the Appropriations Committee has the profound wisdom of knowing how to spend money. I think that the authorizing committees do a pretty good job around here, too, of studying needs and ascertaining what those needs are, and then authorizing legislation to fill those needs.

But on this bill the gentleman from North Carolina would find perhaps some relief if indeed we could get an impact reform bill through the Congress, because right now what we are doing in many instances—and those who are going to vote on this issue ought to know this—under the present formula we are subsidizing a certain number of school districts in this country at the expense of others. The formula we now have permits a school district to choose either one-half the local contribution, one-half the State contribution, or one-half the national norm. In many districts around the country the national norm is substantially higher than the local contribution. We are faced with this inequity, that the Federal Government is paying in some areas substantially more for educating children brought into the community by some Federal activity than the local community is paying for the same education for children who live in that community.

We have tried to offer just a simple amendment to provide one-half of the actual cost of educating a child in the particular district seeking aid under the program.

This very simple modest suggestion that was offered to impact reform cannot get any support, because, let us not kid ourselves, there are 361 congressional districts which get some form or other of assistance under this program, and we are not going to shoot Santa Claus.

The gentleman from Iowa has suggested we eliminate the one-half the national norm option and only pay one-half the actual cost. What could be more logical than for the Government to pay one-half the actual cost, the actual cost of educating a youngster in that school district?

And we cannot even get that modest proposal enacted.

If we had gotten that kind of amendment, or if we had any reason to believe we could bring to the floor that kind of bill and get it enacted, the money that could be saved from those districts that are now getting more money from the federally impacted program than they are paying for their own indigenous students, that money could be spread more equitably around the country. But this law is untouchable. If there is anything which is untouchable, it is Public Law 874 and Public Law 815. I am sure this amendment will be adopted today, because, as I said earlier, these school districts need the money so desperately that I am going to support anything that

will give any of these school districts some help, but I think this House ought to know what the real issue is.

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

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

Mr. PERKINS. Let me say to my distinguished friends and colleagues from the South, that one-half of the national average was written into the 1954 bill, because there were found to be disparities, for instance, between \$34 for Mississippi and \$250 for New York. It was this kind of injustice that caused us to do that, and if we were ever going to do anything for the poor districts, we must take that into consideration. That is why we wrote in the impacted legislation that those poor districts are entitled to go to one-half the national average. I think we should hold fast to that principle and urge that the amendment offered by the gentleman from North Carolina be adopted.

Mr. PUCINSKI. I would say to my Chairman that this is one of the things that has made it impossible to get this reform through the House.

Mr. BROWN of Ohio. Mr. Chairman, I move to strike the necessary number of words, and I rise in support of the amendment offered by the gentleman from North Carolina (Mr. LENNON). It is a moderate approach to this particular problem.

I will say to the gentleman from Iowa that if we, in fact, could get this program reformed as proposed by the gentleman, or any very reasonable reform proposals which would assure that the money distributed in impact aid funds gets to districts in real need we could be a great deal prouder of the program. But Federal money should not go to districts which provide the least on the most local money, but to those districts which have the least wealth behind each pupil and still provide the most effort but do not provide sufficient money. If such districts would be benefited, we would be a great deal better off.

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

Mr. BROWN of Ohio. I yield to the gentleman from Virginia.

Mr. DOWNING. Mr. Chairman, I am in complete agreement with the gentleman.

Mr. Chairman, I am honored to support my distinguished colleague from North Carolina (Mr. LENNON) in his effort to obtain a somewhat more reasonable level of payment to school districts throughout the Nation which are located in political subdivisions whose normal tax base has been greatly depreciated by the Federal Government.

I refer, of course, to the funds made available to what are known as federally impacted areas.

The district which I have the honor to represent includes four of Virginia's independent cities and seven of her southeastern counties. The majority of my district is federally impacted. We have a heavy concentration of defense establishments and numbers of other supporting installations. There are large numbers of dependents of military personnel

living on many of these, and there are far more civilians employed in these installations who reside in the surrounding civilian communities. The children of both of these groups of individuals must all be educated in our local school systems.

It is true that these Government workers pay local taxes as individuals. However, their employer pays no tax on the real estate which he occupies, and likewise he pays no tax on the volume of business which he does.

The position of one of my counties is that almost 40 percent of its area is occupied by Federal establishments. I believe it only fair to say that very few political subdivisions could maintain a significant standard of operation if almost 40 percent of their tax base were removed from them. All we are asking is that the Federal Government accept its rightful share of educating the children of those who work for an employer who, because it is the Federal Government, is exempt from taxation.

I believe that the formula which my friend from North Carolina seeks to have approved would help considerably even though it is still not the full entitlement which we should have every right to expect. I would like to cite just a few figures to show you what this failure to fund at the full entitlement rate has cost this county to which I referred previously. During the 1969-70 school year this county lost \$166,704 in the failure of the Congress to fund at full entitlement. In the following year this loss amounted to \$217,572. In other words, gentlemen, in 2 years it has cost one of my counties more than \$384,000 to educate dependents of Federal employees.

The funding stipulated in this amendment would still not represent full entitlement, but we would at least not be any worse off than we were last year.

Mr. BROWN of Ohio. I believe that is correct, depending upon the figures as they turn out to be in actuality.

Mr. DOWNING. I certainly hope the Members will go along with this amendment.

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

Mr. BROWN of Ohio. I yield to the gentleman from Virginia.

Mr. SCOTT. Mr. Chairman, I also rise in support of the amendment.

I should like to respond just briefly to our distinguished minority leader with regard to the suburban areas of Washington, and to say that the Members of Congress constitute a very small percentage of the people who live in the suburbs of Washington.

My own district, in Fairfax County and Prince William County, is the fastest growing area of Virginia. Those areas are growing faster than the rest of the State because of the Federal Government being here in Washington, and for no other reason. That is the principal employer.

It seems to me we should be given a fair proportion of the cost of building new schools.

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

Mr. BROWN of Ohio. I yield to the gentleman from Ohio.

Mr. HARSHA. I thank the gentleman. I rise in support of the amendment.

Mr. Chairman, I rise in support of this amendment. Every year it seems we have this same confrontation over Public Law 874. Admittedly there are inequities in the legislation as pointed out by the distinguished minority leader, but that is no reason for compounding the problem faced by school districts with situations described by the author of this amendment. Correct these inequities in the authorization legislation not in the funding legislation, not by denying funds to deserving districts. Every year it seems there's an effort to chop away at these 874 funds, now the appropriations committee has reduced the payments to 68 percent of entitlement. This amendment will simply restore those payments to 73 percent of entitlement the same level as last year. Actually they should receive 90 percent of entitlement, but at the very minimum restore the level to that of last year. If the House desires to correct the inequities referred to do that in the proper manner and serve adequate notice on the affected school districts so they can prepare for an adjustment in their revenue. Do not mislead them by leaving the legislation on the books thereby giving them the false impression that they will receive this money and then attempt to cut it out by the appropriation process.

This is a good amendment. It does not materially affect the overall sums provided in this bill and it keeps faith with the school districts affected and should be adopted.

Mr. DENNIS. Mr. Chairman, I rise in opposition to the amendment.

I should like to say, Mr. Chairman, there are conditions such as stated by the distinguished gentleman from North Carolina (Mr. LENNON), which call for help.

There was a gentleman from my State who called on me yesterday—not from my district—who has the same type or a slightly different type of impact problem. He was a school man. He was an honest man. He said to me, "I know this B category is wrong. All I ask of you is that you try to support it this one more time because we need the money." I am sure he does.

In the short career I have had here we have had this same thing every year. I am being asked to tax my people to take care both of these meritorious cases and the cases around here—around Washington—where we are helping to support the richest counties in the country, which I do not believe are meritorious cases.

This continues year after year because the committee of the gentleman over there does not bring out a bill to tailor the problem as it should be.

This committee bill is \$137 million above the budget request. Think of what we could do with \$137 million. We could put it on handicapped children. We could put it on libraries. We could put it on higher education. Instead, we fool around with this business.

Before I vote for the bill I will just have to register my protest. I say to the gentleman over there, I do not know the merits of his particular measure, but if he will bring something out tailored

to give us an opportunity to get to the inequities in this program, I am one Member who will vote for it.

Mr. PUCINSKI. I am very pleased to have the gentleman's commitment.

Mr. DENNIS. Wait a minute. I did not say that. I said I did not know the merits of the gentleman's bill but that if he would bring something out to give us an opportunity to get to the inequities I would support it.

Mr. PUCINSKI. The President sent up a reform bill, which I thought was pretty good. I might advise the Members that out of some 60 witnesses who appeared before our committee only two brave souls dared to speak out in support of the President's reform bill. All the others who have an interest in this legislation strongly opposed any kind of reform.

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

Mr. DENNIS. I yield to the gentleman from Illinois.

Mr. MICHEL. The gentleman made reference to a neighboring county of Fairfax. Page 456 of the hearing record discloses it ranks No. 1 in the country, receiving \$12,219,000—some, for one particular citation.

I should also make note of the fact that the record also discloses the B category children are 20,000 fewer this year than they were last year. That is some justification for scaling back.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

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

Mr. BROWN of Ohio. I would like to point out to the gentleman from Illinois (Mr. PUCINSKI) that several of us who spoke on this legislation spoke with reference to the President's proposals and tried to improve those proposals further. Those people who have impacted aid areas in their districts are not necessarily supporting the legislation as it stands now. I think some changes have been made which have made the impacted aid programs even worse, frankly, such as extending them to public housing areas.

Mr. PUCINSKI. If the gentleman will yield, we will make every effort to bring in the President's reform bill on impacted area aid to this floor as early as possible. It is all ready to go. We have concluded our hearings. Then let us see what the House wants to do with impacted area aid reform.

Mr. BROWN of Ohio. Fine. Let us do that. However, the gentleman has my testimony, and I hope that he reads it again.

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

Mr. Chairman, I cannot remain silent when I hear a lot of words banded about on this floor about the ill effects of impacted aid. It is too bad that my good friend from Iowa does not have some impacted schools in his district. If he did, he might look with as much favor on this as he does on some of the subsidy money we spend in agriculture.

I have some agriculture in my district. Mr. SMITH. My district does nearly \$20 million in one form of agriculture, which gets no support because it happens to be

in cut flowers. Unfortunately, they have not been brought up to equity.

The city of Alameda, where I reside, has the biggest and most active air station on the west coast if not in the Nation. It involves about 8,000 civilians. It also has stationed there a great number of uniformed personnel. It is an island city that has no other or practically no other industry in the heart of an industrial area on which to base a tax base, so everything must fall on the property owner; everything must fall on the home owner. There is some public housing there that I have heard discussed here today. The result is that the school district cannot carry the burden. Today there are 2,200 category A youngsters who live on the base, and there is not a fit school for them. The district is taxed to its limits.

Mr. SMITH of Iowa. Will the gentleman yield?

Mr. MILLER of California. No. I will not yield. I did not ask you to yield.

The Navy realizes this and it has assigned to the school district for use its two former World War II types of barracks. These violate every bit of the California law as to the type of buildings school children should be put into. They tried to correct it by putting steps down and opening new doors, but this is the condition under which these children have to be educated. I do not think these people should be taxed for any more. This is true of other facilities in the area you have an Army supply base, a Navy supply base, a great naval air station and a naval hospital and a material headquarters for the Coast Guard as well as some big institutions that are serving the Defense Department which can qualify.

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

Mr. MILLER of California. I yield to the gentleman from California.

Mr. TEAGUE of California. Mr. Chairman, I associate myself with the remarks of the gentleman from California because I have three major military installations in areas with practically no industry. I have almost the identical problem. I compliment the gentleman from California for his statement.

Mr. MILLER of California. It is not an uncommon problem throughout the country.

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

Mr. MILLER of California. I yield to the gentleman from North Carolina.

Mr. HENDERSON. I thank the gentleman for yielding and I commend the gentleman for his statement.

I think we ought to pass the amendment to increase the appropriations here, for those areas in which we are vitally interested. The military children are brought into the impacted community but are children who belong to all America. They belong to districts other than the districts in which they are being educated, and that should be taken into consideration. As the chairman of the Committee on Education and Labor said, we are trying to get one-half of the national average as a contribution, so that the children of the military can be as well educated as the average child in the various States.

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

Mr. Chairman, I rise in support of the amendment of the gentleman from North Carolina to increase class B impacted area aid. I submit 68 percent of entitlement as H.R. 7016 now provides is not enough. Of course, I support that 73 percent figure. That is, after all, only a 5-percent increase. I had hoped his amendment would have provided for 90 percent. For that matter, I fail to see why if these school districts are entitled to this assistance at all the entitlement should not be 100 percent, or all of their entitlement.

There was some discussion here a few moments ago to the effect that we should hurry on and not worry about this increase in entitlement. Someone said let us leave this adjustment of entitlement to the other body.

Mr. Chairman, this body, the House of Representatives, should never shirk its clear responsibilities. It is our job to provide a better appropriation for these impacted schools. We ought to do it today. Up to this point in the debate the question has not been answered as to who is going to pay for category B students if the Federal Government does not. The truth of the matter is it will have to be paid by the local taxpayers who are already overburdened by property taxes. Category B children is not the obligation of civilian taxpayers in these districts.

Mr. Chairman, another point was raised a while ago that we needed reform of the act providing for impacted assistance. Of course, reform is always in order. The gentleman from Illinois (Mr. PUCINSKI), has however just delineated the difficulties involved to achieve this reform. However, failure to secure reform right now should not be a roadblock to the entitlement of those school districts which merit this impacted area assistance because military personnel they did not invite have moved into our midst. While we wait for reform, we should not deprive those who are entitled to it and who need this help now. If we delay this assistance, then the taxpayers of the area will have no choice but to accept the children of these military families living off the base. When this happens it means belt tightening, curtailment of other school programs or an increased school levy where this may be possible.

Local taxpayers cannot carry the burden of these category B students. It is not their obligation. It is ours. We should meet our responsibilities. We can go part of the way toward doing that if we support this amendment.

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

Mr. RANDALL. I yield to the gentleman.

Mr. ROY. Mr. Chairman, I rise in support of the amendment.

Mr. Speaker, I rise to register by concern for the inadequate expenditures this Congress and particularly this administration are willing to invest in their most important natural resource: the education of their children. I previously voted for Mr. HATHAWAY's amendment to increase the level of funding for the Office

of Education by \$728.6 million for fiscal year 1972; it was defeated by 5 votes. Had this amendment carried it would have meant an increase of \$63 million for children attending school in federally impacted areas; an increase of \$75 million for public housing for federally affected areas; and an increase of \$208 million in the elementary and secondary education appropriation, to cite just a few examples.

Although I am delighted that the Appropriations Committee saw fit to increase, in almost every instance, the Nixon Administration's appallingly paltry budgetary requests for education, I am disappointed that these levels were not increased even more today. For those of us who feel educational expenditures are a national priority of utmost importance, it is painful to witness any indifference to the desperate needs of our educators. I, therefore, am delighted to voice my support of the amendment now offered by the gentleman from North Carolina (Mr. LENNON).

In my district in Kansas, there are three school systems which would benefit from this provision. I have learned much from these dedicated people about the financial dilemmas that Federal facilities, such as Fort Leavenworth, Fort Riley, and Forbes Air Force Base, create for a school system. As you know, the bill before us appropriates \$562 million for payments to school districts in federally affected areas. It provides payments at 90 percent of full entitlement to "A" children—whose parents both live and work on Federal property—if they constitute less than 25 percent of the district's total enrollment; and 100 percent of full entitlement if they constitute more than 25 percent of total enrollment. However, for those children whose parents work, but do not live, on Federal property—designated as "B" children—the bill provides that payments shall not exceed 68 percent of maximum entitlement. The gentleman from North Carolina's amendment to increase this percentage to 73 percent has my full support. After all, this money is only a compensatory payment, not a "handout"; it is in lieu of the taxation of this Federal property and should, therefore, equitably reflect the costs of this property and the facilities on it to the community. Without adequate impact aid, the citizens of these school districts will be forced to pay increased property taxes to maintain quality education.

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

Mr. Chairman, I support the gentleman's amendment, although I would have been much happier had the committee agreed to the Hathaway amendment and provided 90-percent funding.

I will admit that half of what we are seeking is better than none at all. I do believe that the equities require the Congress to recognize our problems and fund this program at 100 percent. But, at the very least I think what this amendment does is to recognize the status quo.

The current fiscal year appropriation provides for 90-percent funding for category A students and 73-percent funding for category B students. This is precise-

ly the gentleman's amendment. The committee bill cut the B category to 68 percent.

I think there is a basic misunderstanding when we are talking about 100-percent funding. I think a lot of people believe that what we are talking about is 100-percent funding. I think a lot of people believe that what we are talking about is the Federal largesse going in and supporting the children 100 percent. This is not so, because the law requires in the definition that the local contribution rate for category A children is 50 percent of the cost of educating those children. These are children whose families live on a military base. What the committee did was to say that the education of these children shall be supported by the Federal Government at the rate of 90 percent of the base, which, as we already know, is only 50 percent. Therefore the Federal support represents a 45-percent contribution only.

So if the average per-pupil cost of that district is \$1,000 this means that the Federal Government pays only \$450 for the education of the child who lives on the military base.

For the B child, and we have thousands of these children in my district whose parents are in the military and who cannot find on-base housing and who live in the community, but who contribute nothing in taxes to support the school system, it is only 68 percent funding. The formula in the law provides that for the B child we only pay 25 percent of what the cost of educating that child is.

Ladies and gentlemen, 25 percent of 68 percent is only 16 percent of the cost of educating that child. So in my school district, where it costs \$1,000 a year to educate a child, there is a Federal contribution of only \$160 a year for the B child. And this is for children whose parents in the military buy everything on the base tax free, pay nothing into the tax coffers of my State, own no property, and yet we have 84 percent of the responsibility to educate them.

I agree with the gentleman who spoke earlier that these are the children of America, and that the Federal Government expressed a responsibility for educating these children. And the concept is not a handout. The concept is in lieu of taxes. We must recognize that as the established principle in this legislation. I hope you will agree with the amendment and at least support the spending level for B category children at 73 percent of entitlement.

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

Mr. Chairman, I would like the Members to hear this. There is no one closer to this subject than am I. This you know. If you do not know you should. The people who have spoken in behalf of this amendment I have talked to personally during the years that we have had this question before us, and they know.

Now, listen. This is the Appropriation Subcommittee dealing with this subject. You have these schools in your districts, and you are hurting. We know this—we know this. If I were you I would say and

do exactly what you have done. You are representatives of your districts.

Twice today points of order were raised against this bill because the Committee on Appropriations should not write law. I agree that they should not, and this committee will not. But there are inherent inequities in this law, and they should be corrected. You want a law? Go and get it. I will vote for it, and every man on this subcommittee will vote for it. Go and get a law. You do not want us to write it, and you are right. Get a law from the proper committee so that you are not placed in the embarrassing position each year of having to sponsor amendments to the appropriations bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina (Mr. LENNON).

The question was taken; and on a division (demanded by Mr. LENNON), there were—ayes 86, noes 68.

So the amendment was agreed to. Mr. PUCINSKI. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to make some legislative history here.

If I may have the attention of the chairman of the subcommittee.

On line 22 of page 3, we carry \$394,682,000 for parts B and C of the vocational and adult education act.

On line 7 of page 4, we say "not to exceed \$18,000,000 for research and training under part C of said 1963 Act."

There is an incongruity here between the authorization and the provisions in this legislation. The authorization provides that 10 percent of basic State grants shall be set aside for research and vocational education, with half of it going to the States and the other half remaining with the commissioner here.

I am afraid that the way the language is written in the appropriation bill, the \$18,000,000 limitation for research and training will actually give the States only \$9,000,000 and the commissioner the other \$9,000,000.

Is it the intention of the appropriations committee to void the authorizing legislation which requires that 10 percent "shall" be set aside for vocational research with half of it going to the States, as provided in the law, and the other half remaining with the commissioner here for vocational research? I wonder if the chairman would clarify that point.

Mr. FLOOD. No, I will say that the answer is—no. The language speaks for itself and means exactly what it says. This is a limitation.

Mr. PUCINSKI. I do not want to raise a point of order as to this because it is not my purpose to do that, but the authorization clearly states that 10 percent "shall" be set aside for vocational research.

When you consider that we have added 5,000 new job skills to this country in the last few years, vocational research is the area in which we need the most help. In view of the fact that the authorizing language provides that 10 percent "shall" be set aside for vocational research, then it occurs to me that any action by the Appropriation Committee would be to insure that the intent of the authorization would be carried

out by insisting that half of basic State grants go to the States and the other half goes to the Commissioner for vocational research. This is the only kind of limitation I could accept.

Mr. FLOOD. That is exactly what it is, a limitation at \$18 million.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

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

Mr. SMITH of Iowa. The language which is in the bill does that. The Bureau of the Budget requested the whole \$36 million be spent by the Commissioner. The language here is designed to make sure that the States do get half of it.

Mr. PUCINSKI. If the language in the appropriation bill is designed to limit the Commissioner to only \$18 million of the basic State grant for vocational research and assure the States will get the other \$18 million, then authorizing language is met. Suppose we have appropriated \$394 million. The authorization clearly states that 10 percent of that "shall" be set aside for vocational research. I ask again, are you attempting to establish a different allocation?

Mr. SMITH of Iowa. The gentleman misunderstands. There is a total of \$36 million to be spent on research, of which \$18 million would go to the States and \$18 million to the Commissioner.

Mr. PUCINSKI. If that is going to be done, I have no quarrel. But then what the gentleman has in this bill—and I want to clarify this—the other \$18 million that you have here is for cooperative research. Now, that is an entirely different thing. It has nothing to do with the 10 percent set aside for vocational research in the basic State grants. Is it the gentleman's opinion that the \$18 million provided here for cooperative research and the \$16 million provided for exemplary programs under part D are separate and apart and, in addition to that, there will be another \$36 million available for vocational research and training under part C, half of it to go to the States and half of it to remain with the Commissioner? Is that the understanding of the gentleman from Iowa?

Mr. SMITH of Iowa. That is correct. I think the Department understands it that way. It is rather legalistic language, but they understand it that way. All we did was to change it to provide for half of it to go to the States.

Mr. PUCINSKI. As long as we have that agreement, that actually 10 percent of the basic state grants will be set aside for vocational research and half of that will go to the States and the other half will stay here with the commissioner for vocational research, not for exemplary programs, not for cooperative research, but for research in vocational education, then I would like to congratulate the committee for taking this action.

Mr. SMITH of Iowa. This is all consistent with the authorization.

Mr. ROONEY of New York. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York is recognized.

J. EDGAR HOOVER

(By unanimous consent, Mr. ROONEY of New York was permitted to speak out of order.)

Mr. ROONEY of New York. Mr. Chairman, on last St. Patrick's Day, March 17, 1971, long before the present controversy arose, the Honorable J. Edgar Hoover, Director of the Federal Bureau of Investigation, accompanied by his Associate Director, the Honorable Clyde A. Tolson and the Assistant to the Director, the Honorable John P. Mohr, attended hearings before the House Subcommittee on Appropriations for the Departments of State, Justice, and Commerce, the Federal Judiciary and Related Agencies, of which I happen to be chairman. On that day the following colloquy took place, duly recorded by an official stenographer:

LATENT FINGERPRINT WORK

Mr. HOOVER. Examinations of latent fingerprints were made in a record 30,339 cases, an increase of 3 percent over the cases received last year. I hand to the Chairman a chart which shows the growing amount of latent fingerprint work we are being called upon to handle.

Mr. ROONEY. The chart entitled Cases Involving Latent Fingerprint Examinations, Fiscal Years 1966-1970, shall be inserted at this point in the Record, without objection.

(Thereafter is a page which contains the fingerprint examinations chart to which reference was made.)

Then follows further colloquy:

Mr. SMITH. Do you have fingerprints of all Members of Congress?

Mr. HOOVER. No, sir. I would like to add, also, we have never tapped a telephone of any Congressman or any Senator since I have been Director of the Bureau.

Mr. SMITH. I was thinking in terms of it being a good thing to have the fingerprints of all members for the protection of the members or in case of accident.

Mr. HOOVER. I think that would be good. As to surveillances, when our agents have a suspect who has violated a Federal law under surveillance and he enters any of the buildings of the Capitol compound the agents drop him at the entrance and they never enter the building to follow him to determine where he goes or what Congressman or Senator he may see, notwithstanding statements to the contrary.

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

Mr. ROONEY of New York. I yield to the distinguished gentleman from Ohio (Mr. Bow).

Mr. BOW. Mr. Chairman, I am delighted that the gentleman brought this matter to the attention of the House. I have served on the committee—as the ranking minority member now—for about 20 years with the distinguished gentleman from New York. During that time each year, in each session we have heard the testimony of Mr. Hoover. It has always been accurate and truthful, and I am delighted the gentleman has brought this to the attention of the Congress. I reiterate that Mr. Hoover testified there were no taps on any Congressman, on any Member of the House or Senate during the period he has been the Director.

I have absolute confidence and faith in Mr. Hoover, and I believe every word he said to us.

Mr. ROONEY of New York. Mr. Chairman, I thoroughly agree with the distinguished gentleman from Ohio.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. ROONEY of New York. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Mr. Chairman, this might be an appropriate point to mention this relative to the colloquy regarding fingerprinting. All the Members, for example, might be interested to know that citizens can have their fingerprints filed in the national library kept by the FBI. People in Government service, ex-servicemen and most people have theirs on file but others can place theirs on file. Members might be interested to know that when a Rockefeller child is born, they have the fingerprints put on record with the FBI. If there is an airplane accident or a kidnapping or some need for identification, they have a way to identify an individual. Any Member of Congress who wants to do that may do so. It is a way to protect one's self in case of accident, a mass catastrophe, or something like that where there may be a need to have this positive identification.

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

Mr. ROONEY of New York. I yield to the distinguished gentleman from Michigan (Mr. CEDERBERG), a member of the committee.

Mr. CEDERBERG. Mr. Chairman, I want to express my appreciation to the distinguished gentleman from New York for bringing this matter to the attention of the House. As a member of the subcommittee, this is really the matter I alluded to yesterday. At the gentleman's suggestion this morning, it was decided to do this.

Mr. ROONEY of New York. Mr. Chairman, it was unanimously decided this morning, I previously failed to tell the committee, by the members of the subcommittee, that I be instructed to come here and present this testimony to the House.

Mr. CEDERBERG. That is correct. I might add when this testimony is printed, I think the Members might find there is some further interesting information that will be provided that has not been provided up to now.

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

Mr. ROONEY of New York. I yield to the distinguished gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I thank the gentleman for yielding, and I want to commend the gentleman from New York for bringing this testimony to the attention of the House. I say to him that I am patiently waiting for the Member of the House who made the allegations the other day to submit for the CONGRESSIONAL RECORD and the edification of the Members a list of the Members of Congress whose telephones have been tapped.

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

Mr. ROONEY of New York. I yield to the distinguished gentleman from Illinois.

Mr. SPRINGER. I thank my distin-

guished colleague from New York for yielding to me. I am speaking out of order, because I think it is important, and I am inserting in the Record at this point—in accordance with the rules—a statement as follows:

Mr. Chairman, on Monday, April 5, my colleague from Louisiana, Mr. Boggs, made an accusation on the floor of this House in which these words were included: "When the FBI taps the telephones of Members of this body and of Members of the Senate, . . . then it is time—it is way past time, Mr. Speaker—that the present Director thereof no longer be the Director."

This is one of the most serious charges that could be made against what is probably the best known Bureau in the United States Government.

The CHAIRMAN. The time of the gentleman from New York (Mr. ROONEY) has expired.

Mr. SPRINGER. Mr. Chairman, I ask unanimous consent that the gentleman from New York may have 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

Mr. EVANS of Colorado. Mr. Chairman, reserving the right to object—and I am not sure I will—we came here early, Mr. Chairman, to work on the education bill. I agree with the statement of the chairman of the subcommittee which he made earlier that if there were any further requests made to speak out of order, he would object.

Mr. ROONEY of New York. Mr. Chairman, I previously assured the distinguished gentleman from Pennsylvania (Mr. FLOOD), I would not take more than 2½ minutes. I do not think I have taken more than that 2½ minutes.

(On request of Mr. SPRINGER, and by unanimous consent, Mr. ROONEY of New York was allowed to proceed for 5 additional minutes.)

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

Mr. ROONEY of New York. I yield to the gentleman from Illinois.

Mr. SPRINGER. Mr. Chairman, I am informed that under the 1968 Act passed by this Congress, it is a crime to tap the telephone of any Member of Congress. The penalty therefor is up to 5 years in the penitentiary. My colleagues can understand from the penalty the seriousness of the charge.

According to the Evening Star of April 6, the distinguished gentleman from Louisiana is alleged to have said that he has positive proof that the FBI has tapped the telephones of Members of Congress.

I was a member of the Subcommittee on Investigations of the House Committee on Interstate and Foreign Commerce in 1958. There, we established that we had jurisdiction over electronic surveillance in the Bernard Goldfine case. In view of this precedent, I have asked the chairman of our committee who is also the chairman of the Subcommittee on Investigations to have a hearing at which the gentleman from Louisiana could present his charges and also to hear such other evidence as would be necessary to establish or disestablish the fact that the Federal Bureau of Investigation has funds for regional resources centers, re-

or has not tapped the telephones of Members of Congress.

I have been informed by what I believe to be the highest and best informed authority in this Government that the FBI has not tapped the telephones of any Members of Congress. It is not my purpose in this speech to argue the merits of either side. The purpose is to get these charges into a forum where everyone will have a chance to testify regarding the tapping of the telephones of Members of Congress.

I have urged the chairman of our committee to call this subcommittee hearing at the earliest moment after the recess in order that a complete record can be made on the charge of the gentleman from Louisiana. If he has the proof, he certainly should be willing to present it at the proper time and place. If he can sustain his charges, he will have rendered a great service to the country. However, if he does not have such evidence and cannot prove that the FBI has tapped the telephones of Members of this body, he certainly owes the FBI and this country an apology. The important thing is that we get on with the hearing as soon as possible.

Mr. ROONEY of New York. I plead with the distinguished gentleman from Illinois to please not try to put the gentleman from New York in a box.

Mr. SPRINGER. I am not.

Mr. ROONEY of New York. Let us just finish with this sort of thing here and now. I did not come here to present this testimony for political reasons. I am doing it now because I implicitly believe in Mr. Hoover. I have believed in him for the 25 years I have served on the subcommittee, and I am not going to play politics with this matter.

Mr. SPRINGER. I am not here for political purposes. I will explain to the gentleman what I have done.

Mr. ROONEY of New York. Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

#### EDUCATION FOR THE HANDICAPPED

For carrying out, to the extent not otherwise provided, the Education of the Handicapped Act, and section 402 of the General Education Provisions Act, \$115,000,000.

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

I rise to compliment the committee for the job they have done on this bill, and especially for the job done with respect to the Teacher Corps. The Teacher Corps has done a tremendous job of training new teachers for disadvantaged children. I am glad to see that this appropriation has been increased.

Further, Mr. Chairman, it is rumored there will be proposed by the administration a change of the Teacher Corps from the Department of Education to some other agency. I would be opposed to this and I believe the subcommittee would also. Such a change is contrary to the theory that tested programs should be assigned for administration to established administrative agencies. The Department of Education has done a fine job with the Teacher Corps and should continue to administer it in the future. A change would be a bad mistake.

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

Mr. Chairman, while we are discussing appropriations for the Office of Education, I wish to call attention to a problem with regard to education for the handicapped in Ohio that is giving me serious and increasing concern.

I hope officials of the Office of Education will take note of these remarks and come up with some answers and some improvement in the administration of the discretionary funds provided in this bill for programs to aid exceptional children.

The State of Ohio has a special education program which we believe is second to none in the United States. Ohio is the only State which has prepared and is pursuing a master plan for special education. Ohio is the only State in which all of the State-supported universities have joined in an integrated plan and program to support special education, including education for the handicapped, deaf and blind, mentally retarded, and others. Ohio supports these programs generously from our own funds. We raise and spend five State, local, and private dollars for every dollar of Federal money received under part B of the Education for the Handicapped Act, this being the part that provides for formula distribution of grants among the States.

My concern is with the fact that we do not receive consideration for the discretionary funds under which the States are expected to provide research and development, personnel training and early childhood education. These are the vital supportive programs for special education. Ohio needs them desperately. Ohio is staffed and prepared to use such funds constructively. Yet the following table for fiscal year 1970 shows a typical distribution of the discretionary funds, a pattern that has been observed since these programs commenced and which shows no improvement and some deterioration as fiscal 1971 draws to a close.

#### DISTRIBUTION OF DISCRETIONARY FUNDS, EDUCATION FOR THE HANDICAPPED ACT, U.S. OFFICE OF EDUCATION, 7 PRINCIPAL STATES, FISCAL 1970

|              | Research and development | Personnel training | Early childhood |
|--------------|--------------------------|--------------------|-----------------|
| California   | \$1,486,696              | \$1,612,834        | \$100,000       |
| Illinois     | 747,126                  | 1,271,209          | 99,928          |
| Michigan     | 397,138                  | 1,195,000          | 100,000         |
| New York     | 2,469,200                | 1,972,022          | 289,068         |
| Ohio         | 119,467                  | 684,200            | 26,701          |
| Pennsylvania | 393,883                  | 1,188,800          | -----           |
| Texas        | 351,542                  | 1,076,900          | 149,992         |

Experts in the Ohio Department of Education and in our university system have tried to learn from the Office of Education an explanation for the fact that Ohio is not only low but very low in the amount of discretionary money in each of these categories.

No official has been able to point to any deficiency in our expertise, our effort, our planning, our ability to use the money to advantage or any other consideration that might enter into the allocation of these moneys. Yet this is the record for the past 5 years.

We have seen other States receive

search demonstration centers, materials centers, and learning disability centers. Ohio with one of the finest and most advanced programs for deaf-blind children is unable to upgrade its teaching staff because we are left out when personnel training funds are allocated. In short, Ohio has been shortchanged and I want to know why. As one who has worked long and hard in committee and on this floor to provide adequate funding for special education, I believe Ohio is entitled to the answer and to better consideration than we have enjoyed to date.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

#### HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, titles I, III, IV (except part F), and part E of title V of the Higher Education Act of 1965, as amended, section 105(b), section 306, title IV of the Higher Education Facilities Act of 1963, as amended, titles II, IV, and VI of the National Defense Education Act of 1958, as amended, section 22 of the Act of June 29, 1935 (7 U.S.C. 329), the Emergency Insured Student Loan Act of 1969, sections 402 and 411 of the General Education Provisions Act, and section 102 (b) (6) of the Mutual Education and Cultural Exchange Act of 1961, \$1,215,451,000, of which \$1,024,400,000 shall be for student assistance programs: *Provided*, That the following amounts shall remain available until June 30, 1973: \$165,300,000 for educational opportunity grants and amounts reallocated for grants for college work-study programs: *Provided further*, That the following amounts shall remain available until expended: \$196,600,000 for the student loans insurance programs and \$29,010,000 for interest payments for subsidized construction loans.

#### AMENDMENT OFFERED BY MR. EVANS OF COLORADO

Mr. EVANS of Colorado. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. EVANS of Colorado: On page 4, line 20, strike out "\$1,215,451,000" and insert "\$1,222,531,000".

Mr. EVANS of Colorado. Mr. Chairman, I am very concerned that the appropriation bill for the Office of Education, which is now before us, does not meet the very real needs of the predominantly black land-grant schools established under the Second Morrill Act of 1890. This concern is based on the following factors:

In the last complete enumeration carried out by HEW in 1969, it was discovered that approximately one-fifth of all black college undergraduates were enrolled in the predominantly black land-grant colleges.

These schools have also trained in their ROTC programs most of the black officers who have entered our Armed Forces.

Many of the most important black leaders have received their education in these schools.

Almost all of the college educated black farmers received their agricultural training in these schools.

Black enrollment in the white land-grant schools has always been and continues to be extremely limited.

The predominantly black land-grant colleges over the years have gained expertise in training students from educationally deprived backgrounds.

For these reasons the importance of Bankhead-Jones funds to the predominantly black land-grant colleges cannot be overlooked.

Bankhead-Jones funding has been earmarked for a critical academic need. Ninety-four percent of these funds have been utilized by the land-grant colleges to support faculty salaries.

Faculty salaries at the predominantly black land-grant colleges have traditionally lagged substantially behind the average salaries available in their areas and the country as a whole.

This fact coupled with the fierce competition for qualified black college professors in particular has left the predominantly black land-grant colleges at a competitive disadvantage in their ability to attract top faculty to their schools and thereby upgrade their educational programs.

The loss or diminution of Bankhead-Jones funding will have a disproportionately serious effect on the predominantly black land-grant colleges, as these schools have been unable to gain the extensive Federal funding from other Federal programs which have been going to the predominantly white land-grant colleges.

For example, in 1969 in the 16 States which have both a predominantly white and predominantly black land-grant college, the predominantly white land-grant schools received almost \$59 million from the Hatch Act and Smith-Lever funds—while the predominantly black land-grant schools received from these funds only \$196,000. And, though total figures are not yet fully available for later years, I have been informed that there has not been a large-scale change in this situation up to the present time.

Therefore, when the administration claims that Bankhead-Jones funds should be phased out because the land-grant schools have sufficient financial strength so as to no longer require Federal assistance, this completely ignores the fact that the white land-grant colleges receive other large sources of Federal assistance while the predominantly black land-grant colleges do not.

The white land-grant colleges, despite these sources of alternate funding, also claim that they continue to need Bankhead-Jones funding. James L. Fisher, representing the American Association of State Colleges and Universities, and John W. Oswald, president of Pennsylvania State University, representing the Higher Education Association, both maintained that the type of funds Bankhead-Jones provided were critically necessary funding for public colleges which enroll the highest proportion of students from low-income families and are facing an ever-tightening squeeze on their main sources of funds; that is, State budgets. The proposed reduction in instructional funds is equivalent to a loss of some 1,500 faculty members who would teach at least 18,000 students. Loss of these funds would mean a likely 10-percent reduction in entering freshman classes at these institutions.

With these figures in mind, it is easy to see how much more desperate the situation of the predominantly black land-

grant colleges is when they do not have access to these alternate sources of Federal funds. This loss of funds would mean a loss in the black land-grant schools of approximately 100 faculty members, and consequently some 1,500 students, mostly from disadvantaged families. This is equivalent to a 15-percent reduction in next year's freshman class at these institutions.

The predominantly black land-grant colleges not only do not have access to significant sources of alternate Federal funds, but their sources of other funding is limited.

First, the States have continued to fund the predominantly black land-grant colleges at a lower level on a per-student basis than they have funded the predominantly white land-grant colleges.

Also the predominantly black land-grant colleges have attempted to keep their tuitions low so that they would not become financially inaccessible to the rural poor who they have attempted to educate in growing numbers in the last few years.

Even if Bankhead-Jones funding is not completely phased out as the administration suggests and is cut to the \$5,040-million figure proposed by the committee, this would still mean that if the cut were proportional and if the 16 predominantly black land-grant schools divided the remaining funds among themselves evenly each would receive only \$34,000.

The administration admits that a phaseout of the Bankhead-Jones funds might injure the predominantly black land-grant colleges.

However they claim that this problem will be avoided as they will make available through title III of the Higher Education Act of 1965 at least equivalent funds.

Title III, however, is a totally inadequate replacement for Bankhead-Jones funding.

First, the assumption implicit in the administration's proposal is that continuance of funding of the predominantly black land-grant colleges at the present level is sufficient. This is patently false. These schools, despite their important functions, are starved for Federal funding. Therefore they need a supplement to Bankhead-Jones funding rather than programs which merely replace Bankhead-Jones funding.

Finally the funds under title III would not be a satisfactory replacement for Bankhead-Jones. Title III funds are not used for operational expenses. Funds under the developing colleges program of title III are granted competitively on a project basis for limited periods of time and for specific purposes. They are not intended to provide support for the fundamental instructional programs of the college on a continuing, predictable basis as are the Bankhead-Jones funds. Therefore Title III is an inappropriate replacement of Bankhead-Jones funds.

For these reasons, Mr. Chairman, I hope the committee will support my amendment which adds \$7,080,000 to the bill and fully funds the Bankhead-Jones authorization.

Mr. MICHEL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the 1971 Bankhead-Jones funds account for only 1 to 2 percent of the operating expenditures of the 16 black land-grant colleges to which the gentleman from Colorado refers.

And in only one case, the University of Maryland, Eastern Shore, did Federal funds exceed that general level, and it came up to something like 8.4 percent.

Mr. Chairman, under title III we have provided \$5 million over and above the \$5 million we have put in the bill for the Bankhead-Jones Act, and although the 16 black colleges might lose altogether something less than one-half million dollars under the Bankhead-Jones Act, the increase of \$5 million under title III act will more than offset the anticipated loss.

Mr. Chairman, there was good testimony throughout the hearings as to what additional steps the administration is taking to develop and fund the black colleges throughout the country.

Therefore, I think we ought to vote down the gentleman's amendment for even with a \$7-million increase for the entire Bankhead-Jones Act, the amount going to the 16 black institutions would be insignificant. That act is outmoded and ought to be scrapped.

Mr. EVANS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I shall be glad to yield to the gentleman from Colorado.

Mr. EVANS of Colorado. One point I agree on and that is certainly the amount of money we are talking about is minimal. Even if fully funded, I agree with that. It is the principle I am trying to direct our attention to; that is, that they are not adequately funded or fairly funded at the Federal level.

No. 2, the moneys that go under title III cannot be used for operation and general support of the colleges. They cannot be so used. Bankhead-Jones money can. In other words, title III money is not going to help them hire professors or operate their schools at all. This is an additional reason why I propose this amendment.

Mr. MICHEL. I will say in all fairness to the gentleman from Colorado that he has made a very fine presentation not only before our education subcommittee, but also before the Agriculture Subcommittee on which we both serve. The administration has recognized that the black colleges around the country, regardless of whether they are land-grant colleges or otherwise, with the exception of Howard University, have been shortchanged, and that is the reason we have the testimony in the RECORD. I submit the subcommittee has recognized that and has provided adequate funds for this program.

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

Mr. MICHEL. I yield to the gentleman from Kansas.

Mr. SHRIVER. Yesterday we put into the RECORD the figures that we have asked for because of the concern of this committee for education at our black colleges and it shows it has almost doubled in the last 2 years. It is now \$173,470,000 for black colleges. Although this

committee is aware of this fact and expects to do something in regard to this phase of higher education, this is in addition to the \$45 million we have in this bill for Howard University.

Mr. MICHEL. I thank the gentleman for his valuable contribution.

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

Mr. Chairman, I concur with my friend, the gentleman from Illinois (Mr. MICHEL) and the gentleman from Kansas (Mr. SHRIVER). We are concerned about the black colleges. Of course, I must oppose the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. EVANS).

The amendment was rejected.

The Clerk read as follows:

Sec. 305. No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan, a grant, the salary of or any remuneration whatever to any individual applying for admission, attending, employed by, teaching at, or doing research at an institution of higher education who has engaged in conduct on or after August 1, 1969, which involves the use of (or the assistance to other in the use of) force or the threat of force or the seizure of property under the control of an institution of higher education, to require or prevent the availability of certain curriculum, or to prevent the faculty, administrative officials, or students in such institution from engaging in their duties or pursuing their studies at such institution.

AMENDMENT BY MR. ROYBAL

Mr. ROYBAL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROYBAL: On page 10, line 3, strike out Sec. 305.

Mr. ROYBAL. Mr. Chairman, my amendment is a very simple amendment. It merely strikes section 305. As you know, section 305 would cut out funds for persons who have engaged in conduct which involves the use of or the assistance to others in the use of force or the threat of force, or the seizure of property under the control of an institution of higher education, to require or prevent the availability of certain curriculum, or to prevent the faculty, administrative officials, or students in such institution from engaging in their duties or pursuing their studies at such institution.

What worries me, Mr. Chairman, is that section 305 requires no proof that an individual has participated in a disorder. It does not even stipulate that a hearing process be provided for a person threatened with a loss of funds. This could very well result in any individual, a student, primarily, being deprived of Federal funds simply because someone might have pointed to him or has accused him of being involved in some disorder anywhere near a university.

Last year 350 students lost Federal assistance because of this act. I do not know of the circumstances surrounding these cases, but I think it would be interesting to know just exactly what grounds were used and if any of the students were either arrested or brought to trial, or if they were reprimanded by the law itself, or by the institution, or whether or not these individuals even had the right of appeal, and if such mechanism was ever set up.

The provision in section 305 is wholly different from the so-called Green amendments to the Higher Education Act. The Green amendments serve to deny funds to students who are judged not by the university regulations, but by a court of law, to have violated criminal statutes. Under section 305 students would not be charged in violation of anything, whether it be criminal law or university regulation, and it is quite possible that under this section most anyone can be wrongly accused of being involved in anything that may be contrary to individuals who may be running the university.

Under section 305 funds could be cut off without the individual having done anything at all. In fact, he may have been just attempting to use his civil rights under the first amendment. Under those conditions it is quite possible under section 305 that an individual could be denied the privilege of using Federal funds.

Mr. Chairman, I believe that the administration agrees with the viewpoint that I have expressed because the administration had requested that section 305 be deleted from this year's legislation. For reference, we can turn to page 492 of the budget appendix, and find title II, section 205, in brackets, clearly indicating that it should be deleted. Further, the Deputy Commissioner of Education reiterated the administration's opposition in his appearance before the Committee on Appropriations.

The Green amendment covers the intent of section 305 and I believe that section 305 should definitely be deleted, and that it is not needed.

Therefore, I urge the adoption of my amendment to delete section 305 from the bill.

Mr. DELLUMS. Mr. Chairman, I move to strike out the last word and rise in support of this amendment.

Mr. Chairman, I agree with my colleague, the gentleman from California, that section 305 is arbitrary, prejudicial, ambiguous, and legally questionable.

The provision before us is in fact different from and worse than the Green amendment to higher education acts which deny funds to students judged by a court of law to have violated criminal statutes.

I would hasten to add that I am totally opposed to the Green amendment as well. For, while one cannot for obvious reasons argue that it is double jeopardy in the strict legal sense of the term, the practical effect is double jeopardy. For we have a process of legal adjudication in this country which ostensibly protects the interests of the people—and the Green amendment goes beyond that process to punish again by denial of funds. Now then, section 305 does not even make an effort at cloaking the intent in questionable legal terms. This section provides broad discretionary authority to interpret virtually any act to constitute a basis for denial of funds to the students. I say that by virtue of the ambiguous nature of the language in this section.

If the discretion is so broad that it becomes absurd, then why not leave the discretion in a local situation to be deter-

mined by the local institution. It is interesting to note, and I reiterate, that the present administration's approach to this section is to let the local institutions handle their own matters, and their own discipline.

There is no statement as to who holds the hearings which determine the basis for denial of funds. There is no distinguishable process for an appeal. I, frankly, consider this section of the act expedient, divisive, demagogic, and conspicuously political.

I believe strongly that this type of provision sets a dangerous course for this Congress to take. I am opposed, just as everyone in the Congress is opposed, to violence. But I would suggest to you this section is not a blow against violence; it is a blow against freedom and justice.

Mr. Chairman, I would urge every Member of the House to strike out this absurd section 305 with its ambiguous language and its political intent.

Mr. Chairman, I support the amendment offered by my colleague, the gentleman from California.

Mr. SMITH of Iowa. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

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

The CHAIRMAN. The Chair will count.

One hundred twenty Members are present, a quorum.

Mr. SMITH of Iowa. Mr. Chairman, let me bring out a few things concerning this amendment. First, there is nothing in the amendment which would keep a college from using any or all of its non-Federal funds to support any of its students it wants to. All that is provided is that Federal funds will not be used to support those students who commit violence or who are involved in the use of force against other students. It does not provide that colleges have to follow a certain procedure, for to do so would be to require the colleges to submit to Federal control.

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

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

Mr. FLOOD. Mr. Chairman, the gentleman in the well wrote the section which we are discussing, and I hope Members will listen.

Mr. SMITH of Iowa. Those complaining about there not being such a provision in the bill, apparently desire to exercise Federal control over the institutions. We avoid that. The institutions may use any procedure they want to. We are giving them the money. There are about 10 conditions in the law that they have to follow in distributing the money, and this is only one of the 10 conditions. They have to be needy. They have to meet a number of other requirements. This is merely one of the conditions, that they not be persons who have committed violence or exercised force to keep others from going to class, blown up Columbia University, or whatever it may be, or engaging in similar acts.

You will recall that at the time this

matter was considered a number of proposals were offered that would be very restrictive on institutions. We put this provision in the law 3 years ago because, I think, it is something that goes only to the individual student who happens to be involved and avoids the cutting off of institutions.

As has been pointed out, last year there were only a total of 35 students denied funds under this provision. I do not believe the whole program should suffer merely because 35 students commit violence or use force to deny others their rights.

Another point that has been made is that the funds, as has been said, can be cut out by the university without any reason given. The institutions have that right. They do not have to give anyone a loan if they do not want to do so. They do not have to give an applicant a loan because they don't like the color of his hair or for any reason. Under the law that is within the institution's discretion.

It was said that the administration is opposed to this provision. They told us they felt they, as a matter of form, should be opposed to it because whatever is in the bill would require them to exercise a little bit more responsibility. But it is only in form; they are not really opposed to it.

I also point out that this is merely a matter of civil rights. This is another example of a situation in which we deny the use of Federal funds to those who violate the civil rights of others. I have consistently voted for such propositions, and we have them before us every year. We should not permit people to have money without regard to their violation of the civil rights of others. That is what this is. The bill states that you cannot give money to one who is involved in the use of force to keep other people from going to class, thus violating the right of that person to attend a class or using his presence in school for that purpose.

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

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

Mr. DELLUMS. The gentleman mentioned civil rights. The Constitution of the United States provides in the first amendment the right to dissent. I would suggest that this section is intimidating.

No. 2, we have a 14th amendment, which provides equal protection. You have not set forth in this section any of the criminal acts. You have made one specific charge, and that is why I say it is demagoguery and politically expedient.

Mr. SMITH of Iowa. We have set forth a similar provision in about 50 laws that we have passed in the last 20 years in relation to violations of civil rights. We do set forth the full provisions in every law. We just do it in cases where we know that others are being denied their civil rights. That is a basic responsibility involved in the allocating of Federal money.

Mr. DELLUMS. Will the gentleman yield further?

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

Mr. DELLUMS. You mentioned the in-

stitutions of higher learning in this country already having discretionary power to deny funds. If that is the case, then why make this a political issue? I suggest that this section does not go to the question of violence. It goes to a violation of rights.

Mr. SMITH of Iowa. I would say that I do not think anybody thought it was a political issue until that question was raised.

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

Mr. SMITH of Iowa. I yield to my colleague from Iowa.

Mr. GROSS. I would like to commend my colleague from Iowa for having put this provision in the bill. Howard University is in this bill for \$45.5 million, a complete Federal grant for that educational facility. I recall not too long ago, perhaps 2 years ago, when buildings were set afire apparently by students in a riot at Howard University, and a firetruck was destroyed when gasoline was dumped on it and a match applied. I do not know who bought a new firetruck for the city of Washington. I do not know who paid for the repair of the buildings and to replace one that was destroyed there. I am quite sure it was the Nation's taxpayers. This ought to be a tougher provision than it is. I commend the gentleman and resent anyone referring to a Member who had anything to do with this amendment or a member of the committee for putting it in the bill as practicing demagoguery. The shoe is on the other foot.

Mr. SMITH of Iowa. Mr. Chairman, I think it is perfectly obvious, as it was 3 years ago, that something was going to be written into the law and this was the best thing we could get at the time. It served all forms of justice. If we had not had this, there might have been something punitive put in the alternative, and just a few people committing these acts would have been causing damage to several programs, and we could not have gotten further appropriations.

I am the first one to say it ought to be in the basic legislation rather than in the appropriations legislation, but until that is done, we have been carrying it in appropriations bills.

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

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

Mr. BURTON. Mr. Chairman, the record should reflect the high esteem in which I hold the gentleman from Iowa, and his concern for freedom of inquiry and intellectual freedom. That position of the gentleman from Iowa is known by all of us.

But, having said that, I think we have here a classic example of an invasion of the jurisdiction of another committee and, let us say, a usurpation of authority by the Appropriations Committee.

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

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

Mr. Chairman, the Education and Labor Committee has the basic policy jurisdiction in this field, and that committee has consistently refused to hamstring the

basic education laws of this land with this kind of provision. In my judgment the provision is a bad one.

More particularly, the Appropriations Committee should not usurp the jurisdiction of a policy committee, in this instance, the Education and Labor Committee, on matters of educational policy.

I hope the amendment before the committee to delete this section receives the support of our colleagues.

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

Mr. BURTON of California. I yield to my distinguished friend and colleague, the gentleman from Massachusetts (Mr. DRINAN).

Mr. DRINAN. Mr. Chairman, I urge dropping completely all of section 305. In my judgment this is probably unconstitutional as involving double jeopardy. Furthermore, I do not understand the language. What is a "threat of force"? And who is to judge this?

It seems to me that the 6 million or 7 million people in colleges today deserve better legislation than is written here. I, therefore, say as a person who has been teaching in colleges and universities for the past decade that this legislation is just one more thing that would alienate the young people from the lawmaking process, because it would impose on them a double penalty. I urge seriously and earnestly its deletion.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. ROYBAL).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. DELLUMS. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

Sec. 309. No part of the funds contained in this Act may be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students; to force on account of race, creed, or color the abolishment of any school so desegregated; or to force the transfer or assignment of any student attending any elementary or secondary school so desegregated to or from a particular school over the protest of his or her parents or parent.

AMENDMENT OFFERED BY MR. CONTE

Mr. CONTE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CONTE: On page 11, strike section 309.

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

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

Mr. CONTE. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. Does this have anything to do with agriculture?

Mr. CONTE. Once in awhile, I should like to inform the gentleman from Iowa, I get out of my league.

Mr. Chairman, I offer the amendment to strike out section 309, and then I will offer an amendment to strike out section

310. I am cosponsoring this with the gentleman from Ohio (Mr. STOKES).

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

Mr. CONTE. I yield to the gentleman from Illinois.

Mr. MICHEL. Would the gentleman consider having the amendments considered en bloc, or is there a reason to separate them?

Mr. CONTE. I would just as soon have them separate.

Mr. Chairman, by now, we are all familiar with the repeated efforts to include this confusing and misleading language in the education appropriations bill. The time to end this meaningless charade is now.

These sections would prohibit HEW from requiring the busing of students, closing of schools, or assignment of students over the protests of their parents, with respect to schools or school systems which are desegregated, as that term is defined in title IV of the Civil Rights Act of 1964.

The pertinent section of that title provides that desegregation means "the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin, but 'desegregation' shall not mean the assignment of students to public schools in order to overcome racial imbalance."

Practically speaking, the situation is this. The Supreme Court has held only that de jure segregation is unconstitutional. Therefore, HEW must operate within this guideline and may only remedy officially sanctioned segregation. It may not remedy fortuitous racial imbalance; or to put it another way, it may not end de facto segregation.

Thus the language in these sections does not alter school desegregation requirements resulting from enforcement of the Civil Rights Act of 1964 HEW concurs in this view. A school district which has not completed its constitutional obligation to achieve a unitary system would not be "desegregated" within the meaning of sections 309 and 310. Consequently, such a district is unaffected by these sections. In sum, these provisions carry little or no legal impact. They have not stopped the implementation of court orders and HEW's enforcement of title VI.

Nevertheless, their inclusion in this bill makes HEW's enforcement task more difficult by encouraging a belief that the basic law has been changed. As a result, school districts may be misled as to their constitutional responsibility. Moreover, instead of supporting the efforts of local authorities to desegregate pursuant to the nondiscrimination provisions of law, these sections offer a false allure of relief from their legal obligations.

Great progress has been made during this school year in accomplishing legally required desegregation. Much remains to be done however if we are to fulfill our duty to extend equal educational opportunity to all segments of our society.

As Secretary Richardson points out in opposing these provisions, local school officials and communities throughout the country are entitled to honest, unambiguous answers regarding the nondis-

crimination requirements of law in this difficult area. School districts which are living up to their obligation to desegregate are entitled to Federal support and to a clear definition of their title VI responsibility.

Instead of helping school districts to resolve their problems however, sections 309 and 310 offer nothing but a morass of needless confusion and a false promise of relief from their constitutional duty. At the close of my remarks, I shall submit for the RECORD a copy of a letter from Secretary of Health, Education and Welfare, Elliot Richardson expressing the administration's opposition to these provisions and an explanation of HEW's opposition to inclusion of these provisions in last year's appropriations bill.

In short, these provisions constitute irresponsible legislation that flaunts our moral mandate to extend the protections of the constitution to all persons in our Nation. They are opposed by the administration and should be eliminated once and for all.

I urge the House to strike these sections from the bill. Thank you, Mr. Chairman.

The material referred to follows:

THE SECRETARY OF HEALTH, EDUCATION,  
AND WELFARE,  
Washington, D.C., April 5, 1971.

HON. GERALD R. FORD,  
House of Representatives,  
Washington, D.C.

DEAR MR. FORD: The Department has been informed that on Tuesday, April 6 the House of Representatives is scheduled to take up H.R. 7016, the Office of Education Appropriation Bill for Fiscal 1972.

Sections 309 and 310 of the bill are identical to provisions adopted last year by the Congress. It is the Department's position that the provisions do not alter school desegregation requirements resulting from the enforcement of Title VI of the Civil Rights Act of 1964.

However, as I testified before the House Committee on Appropriations, the Administration opposes Sections 309 and 310 since they can easily be misrepresented as effecting a change in basic law and HEW regulations.

As you know, unprecedented progress is being made during this school year in accomplishing legally required desegregation. Substantial problems remain, however, and we believe that local school officials and communities throughout the country are entitled to honest and unambiguous answers as to the nondiscrimination requirements of law in this difficult area. Unfortunately, instead of helping school districts resolve the problems of desegregation, Sections 309 and 310 offer nothing but needless confusion and a false promise of relief from a Constitutional obligation that remains in fact undiminished.

Therefore, the Administration supports deletion of the provisions.

I have taken the liberty of sending identical letters to Mr. Bow and Mr. Michel.

With kindest regards,  
Sincerely,

ELLIOT RICHARDSON,  
Secretary.

EXPLANATION OF DEPARTMENT'S OPPOSITION TO SECTIONS 209 AND 210 OF THE GENERAL PROVISIONS OF THE FISCAL YEAR 1971 OFFICE OF EDUCATION APPROPRIATION ACT

The provisions opposed are as follows:

"Sec. 209. No part of the funds contained in this Act may be used to force any school or a school district which is desegregated as that term is defined in Title IV of the Civil Rights Act of 1964 (PL 88-352) to take any action to force the busing of students; to

force on account of race, creed or color the abolishment of any school so desegregated; or to force the transfer or assignment of any student attending any elementary or secondary school so desegregated to or from a particular school over the protest of his or her parents or parent.

"Sec. 210. No part of the funds contained in this Act shall be used to force any school or a school district which is desegregated as that term is defined in Title IV of the Civil Rights Act of 1964 (PL 88-352) to take any action to force the busing of students; to require the abolishment of any school so desegregated or to force on account of race, creed or color the transfer of students to or from a particular school so desegregated as a condition precedent to obtaining Federal funds otherwise available to any State, school district, or school."

Last year when the Congress considered the Fiscal Year 1971 Office of Education Appropriation Act, the Administration stated its opposition to Sections 209 and 210 on several occasions.

On July 20, 1970, in a letter to the Senate Minority Leader, Senator Hugh Scott, the Department indicated that enactment of Sections 209 and 210 would not alter desegregation requirements under Title VI. Nor would they restrict the authority of the Department to administer Title VI in accordance with existing procedures and regulations (Congressional Record, vol. 116, pt. 19, p. 26214).

Broadly speaking, while the legal effect of the provisions is of no consequence, the Department felt and still feels that they tend to confuse local school authorities as to their responsibilities under the Constitution and under Title VI of the Civil Rights Act of 1964.

A school district which has not completed its Constitutional obligation to achieve a unitary system would not be "desegregated" within the meaning of the proposed sections 209 and 210. Such a district, therefore, is unaffected by these sections. The provisions, nevertheless, tend to encourage a belief that the basic law has been changed, with the result that school districts may be misled as to their Constitutional responsibility. For the reasons stated, sections 209 and 210 are undesirable as constituting meaningless and confusing language in legislation.

In addition, the major thrust in dismantling the dual school systems commenced at the start of the 1970-71 school year. Sections 209 and 210 do not arrest the implementation of court orders and HEW's enforcement of Title VI. However, instead of supporting the efforts of local authorities to desegregate pursuant to the nondiscrimination provisions of law, these sections hold out a false promise of relief from the obligation which they cannot in fact provide. The Department believes that school districts which face the obligation to desegregate are entitled to Federal support and to a clear definition of their Title VI responsibility, whereas Sections 209 and 210 are not supportive and can only confuse the issues without effecting any substantive change.

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

The CHAIRMAN. The Chair will count.

One hundred twenty-two Members are present, a quorum.

Mr. STOKES. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, at the outset I should like to associate myself fully with the gentleman from Massachusetts (Mr. CONTE). I would certainly like at this time to commend the gentleman for the excellent statement he has just made on this particular amendment. This gentle-

man has been a longtime fighter in trying to eliminate this obnoxious section of legislation from these appropriation bills.

Mr. Chairman, it seems to me that this Congress has a responsibility to this Nation—not to sanction further procrastination with reference to educating black and white children alike in this Nation.

Mississippi has 140 school districts; of that total, exactly 100 are still under court order to desegregate. They have spent 17 years plaguing the courts with their determination to keep segregation alive. In the fall of 1968, 6.7 percent of the black children in Mississippi attended majority-white schools. By 1969, the total had reached 12 percent. The 1970 figures have not been finalized yet.

The gentleman sponsoring the amendment contends that it is simply a restatement of the law, and as such is innocuous. My own opinion is that it is not a restatement of the law and while legally it may be innocuous its effect in confusing civil rights law is not innocuous.

Let us take a look at section 309: The language of this section is such that everyone, including the sponsor of this section agrees that it is meaningless.

The key clause in both section 309 and 310 is "a school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964." Now, what does title IV provide: "As used in this title . . . desegregation means the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin, but desegregation shall not mean the assignment of students to public schools in order to overcome racial imbalance." But "racial imbalance", which is the "code word" for de facto segregation, has not been the basis for legal action taken by HEW in the past under either the 14th amendment or title VI of the Civil Rights Act. HEW has always maintained, and still does, that they only fight de jure segregation which is prohibited by the Constitution and which has nothing whatsoever to do with "racial imbalance." To quote an interdepartmental memorandum from Elliot Richardson:

Where a school district has acted to separate children on the basis of race, color, or National origin, subsequent assignments "in order to undo that separation are not assignments in order to overcome racial imbalance" as that term is used in title IV. A school district which previously established schools on a racial basis does not achieve a desegregated status until it has achieved the constitutionally required unitary school system.

Therefore, we have to look behind this smokescreen to discover the real purpose and effect of this so-called Whitten amendment. The section is designed solely for the purpose of confusing civil rights enforcement and more basically to give unwarranted and false hopes to the remaining groups of holdout school districts in the South.

I would briefly like to discuss with you the key to the reasons why this section should be struck.

Secretary Elliot Richardson's testi-

mony before the subcommittee in response to Mr. Conte's questions:

Secretary RICHARDSON. Here, then, since the plan is one that is negotiated with HEW, in order to comply with the requirements of the Civil Rights Act itself and the Constitution, again funds are not being used to force the result. So it becomes possible, notwithstanding this language, to do what is necessary in order to carry out the requirements of the Constitution. But the language, nonetheless, we think, is an undesirable clog in the appropriations process.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, at the request of Mr. RYAN, Mr. STOKES was allowed to proceed for 2 additional minutes.)

Mr. STOKES. As late as July 1970, HEW in a letter to the Senate indicated that enactment of 209 and 210 which are identically the same as 309 and 310 would not alter desegregation requirement under title VI.

And I again quote from the hearing record before the subcommittee:

Secretary RICHARDSON. Broadly speaking, while the legal effect of the provisions is of no consequence, the Department felt and still feels that they tend to confuse local school authorities as to their responsibilities under the constitution and under title VI of the Civil Rights Act of 1964.

The Secretary further said:

A school district which has not completed its constitutional obligation to achieve a unitary system would not be desegregated within the meaning of these sections. Such a district therefore is unaffected by these sections. The provisions, nevertheless, tend to encourage a belief that the basic law has been changed, with the result that school districts may be misled as to their constitutional responsibility. For the reasons stated these sections are undesirable as constituting meaningless and confusing language in legislation.

Additionally Secretary Richardson said:

These sections do not arrest the implementation of court orders and HEW's enforcement of title VI . . . these sections hold out a false promise of relief from the obligation which they cannot in fact provide.

Mr. Chairman, we have now reached another milestone in the history of school desegregation—the class of children who entered kindergarten in the fall of 1954, 4 months after Brown against Board of Education, will be graduating from college next month.

This of course means that in many sections of the South, the resistance to desegregation has now lasted a full generation—that to me seems like time enough. It is time that we get on with the business of educating children in this country. This section has nothing whatsoever to do with busing and it has absolutely nothing to do with de facto school segregation whether it exists in the North or the South. It has no applicability whatsoever and therefore should be struck.

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

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

Mr. RYAN. Mr. Chairman, I want to commend the gentleman from Ohio (Mr.

STOKES) for a very splendid statement, and for his analysis of the character of these amendments.

The Whitten amendments embodied in the Office of Education appropriation bill, H.R. 7016, show that there is some certainty in life. Like the sun coming up every morning, so do these anti-civil rights provisions appear with stultifying regularity in legislation providing appropriations for the Office of Education. These amendments are pernicious, and they only deserve deletion from the bill before us.

The Whitten amendments, embodied in sections 309 and 310 of the Office of Education appropriations bill, provide:

Sec. 309. No part of the funds contained in this Act may be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students; to force on account of race, creed, or color the abolishment of any school so desegregated; or to force the transfer or assignment of any student attending any elementary or secondary school so desegregated to or from a particular school over the protest of his or her parents or parent.

Sec. 310. No part of the funds contained in this Act shall be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students; to require the abolishment of any school so desegregated; or to force on account of race, creed, or color the transfer of students to or from a particular school so desegregated as a condition precedent to obtaining Federal funds otherwise available to any State, school district or school.

These amendments seek to impede enforcement of title VI of the 1964 Civil Rights Act by sanctioning freedom-of-choice school desegregation plans. They stipulate that no funds in the bill may be used to force busing, abolition of schools, or attendance at particular schools whether against the choice of the student's parents or as a prerequisite for obtaining Federal funds.

The effect of the amendments is to frustrate enforcement of the Supreme Court desegregation decision and the Civil Rights Act of 1964. They confuse school districts as to their responsibilities under the law, and they make it more difficult for the Federal Government to seek compliance with the law.

Equally as important, if not more so, the amendments stand as a symbol of that diehard last gasp of segregation which lingers on. The fact is that freedom of choice, which these sections espouse, is a cloak for segregated schools. Intimidation and harassment are the tools used to dissuade black parents and black children from choosing the white schools in their districts. For them, there is no freedom, when the watchword is freedom of choice.

The amendment offered by our colleagues from Massachusetts (Mr. CONTE) and Ohio (Mr. STOKES) to strike section 309 should be adopted, and the amendment which will be offered to strike section 310 also should be supported. The Whitten amendments should be buried forever.

Mr. STOKES. Mr. Chairman. I yield back the balance of my time.

Mr. WHITTEN. Mr. Chairman, I rise in opposition to the amendment.

(By unanimous consent, Mr. WHITTEN was allowed to proceed for 5 additional minutes.)

The CHAIRMAN. The gentleman from Mississippi is recognized for 10 minutes.

Mr. WHITTEN. Mr. Chairman, I did not interrupt those who preceded me, and I might well have done so, because some of the statements and opinions expressed by some of the speakers were completely erroneous.

In the first place, these provisions were sent down as a part of the bill by the Bureau of the Budget and by the Department of Education. What do they provide? Let me quote them:

Sec. 309. No part of the funds contained in this Act may be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students; to force on account of race, creed, or color the abolishment of any school so desegregated; or to force the transfer or assignment of any student attending any elementary or secondary school so desegregated to or from a particular school over the protest of his or her parents or parent.

Sec. 310. No part of the funds contained in this Act shall be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students; to require the abolishment of any school so desegregated; or to force on account of race, creed, or color the transfer of students to or from a particular school so desegregated as a condition precedent to obtaining Federal funds otherwise available to any State, school district or school.

Now, the preceding speakers did compliment the progress which has been made in the last year in integration, much by the Judiciary. However, the Department has been operating under these provisions, and keeping their people from making unreasonable demands in local schools, a practice which existed in my area for a number of years. It has been stated that Secretary Richardson, who I understand was called back before the committee, and that more or less it was demanded that he come back to testify in opposition to the provisions, did not voluntarily do so in his first appearance. Be that as it may, if that is or is not the case, that is beside the point.

I would like to point out to the Members that I was responsible for offering these provisions, when they were first sponsored and made a part of the bill and a part of the law. At that time the provisions were described by the local press as being sufficient to wreck everything in the world, that they would repeal the Civil Rights Act, and so forth. I am not talking about my colleagues here, but I am talking about the news media, which indicated I was just out to wreck and destroy everything that had been done by the Supreme Court. I said then that all these provisions could do was to help control the money in the bill and at least keep the Department of Education from using money appropriated for education to force busing and the other actions which are enumerated plus sending their employees around making demands.

When the Congress accepted the provisions the press took the opposite view: That, oh well, it did not make any difference anyway.

These amendments have never been one-tenth as strong as their worst enemies have said they would be, and I would also have to say that they have never been one-tenth as good as some folks have claimed. Under the rules, we are limited to this approach, and you have not read where I have made any big claims beyond the fact that at least this was a start toward sanity; toward putting education first. I do think they are important for many reasons, including that of preventing the Department of Education from stepping in, if we can get the courts to show some commonsense and put education back as the prime purpose of schools for our youngsters.

The Civil Rights Act was passed by the Congress in 1964; it defined segregation, what it is, and what it is not. Prior to that the Supreme Court had taken jurisdiction in these areas and said what the Constitution required in the way of integration. Needless to say, I differed, but we had to accept such decisions, though against our beliefs. And I will say to all of you here that these provisions did not stop the Federal courts in the exercise of any of its powers, and they do not stop the Civil Rights Act in any of its provisions, because the rules applicable here will not let me reach such laws. Again, I am limited here to limitations on this appropriation.

What they do is say: If your school district and your court have decided where your children should go to school, and if the school is truly integrated as the statutes require, then these provisions say that Mr. Richardson, Secretary of Education, cannot take his money and go down there in the face of the court order, or in opposition to the desegregation provisions passed by Congress; or in the face of a school district which is fully desegregated, and use this money and his personnel to force you to bus children against your desires. Now under section 310, can we withhold your money until you "voluntarily" do what he asks.

I will say to my friends, I have been around here a good while and I hope to stay longer and I hope to serve with you a while longer.

As it was pointed out by the gentleman from Ohio, the South is operating under court orders. We are fully integrated by court action. It does not please anybody, nor either race, and education suffers, the students suffer. My hometown has a population of about 50 percent colored or Negroes and about 50 percent white. In my last campaign I ran against a Negro citizen who had run for the State legislature. He had attended college. I sent copies of my amendments and what they would do to everybody whose name I had in the area, Negro and white, and I carried it six to one.

The schools under court order are completely integrated, may I repeat, against the wishes of nearly everyone, and the people still do not want Mr. Richardson and the Washington people

sending youngsters down there, as they were doing until we wrote these provisions, and have them going around from school to school, many of them without permission of the school administrators, creating disturbances and creating additional problems that do not have to exist.

So these amendments do some good.

Let me tell you another thing these provisions do.

You know that the Department of Education was created by the Congress. I have heard lots of speeches today; but I have not heard anybody speak who did not claim that he was strictly for education—those who voted for amendments and those who voted against amendments. I take the statements of everyone of them at their face value. Today we have labored all day long providing money for education, the purposes for which the Congress created this Department.

It is not right that section 310 should prohibit Mr. Richardson from using this money for purposes other than education, to force busing, and to force you to send your children to schools that you do not want to send them to.

I say, take the money we provide and use it for education. What does this really mean? It means that they are going to have these arguments in the local areas—and they have had them. It means they are going to be settled by the school boards and the courts. But in the meantime the Congress, which provided the money for education, is going to see that Mr. Richardson sends that money down there so that education can go on while these differences get settled. That is all I have ever claimed for it. That is what it has done and such peaceful progress as we have had this year was made for the first time, because these provisions were in the law; and we made more progress throughout the Nation than in any 5 years in history because the Department of Education has kept out of it and it has been handled by the local judges—not always with my approval—and by the local school boards. We hope the courts will let up, for education is suffering. If the judges do begin to be reasonable, we certainly do not want Secretary Richardson to step in and be worse.

Again, these provisions are sound, and I cannot see for the life of me, that those of you who live in what are called de facto segregated areas and those of you in the big cities, would want to strike these provisions and leave it so that Mr. Richardson can send people to your areas and tell you where you have to send your children to school, and this he would be pressured into doing.

If he is not going to do it, this does not hurt you. If he has any idea of doing it, then you should vote to retain these provisions. To those who say it does not amount to anything—why worry about it? But it does amount to something. It keeps Mr. Richardson here handling the Department of Education and it keeps him here to send out the money to the respective areas of the country so that education may go on, while the local people who have differences and prob-

lems with the court will have the opportunity to settle those differences locally without Mr. Richardson's interference.

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

Mr. WHITTEN. I yield to the gentleman.

Mr. STOKES. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, in light of the gentleman's statement with reference to the fully integrated situation and the rate of progress now existing in Mississippi, would the gentleman agree that as a matter of fact that in McComb City, Miss., they reneged on a negotiated desegregation plan, and they are now being sued by the Department of Justice?

Would the gentleman agree that in Rankin County, they are now under investigation for teacher firings and segregated buses?

And that in South Pike Consolidated School District, they are under investigation for segregated classrooms?

In Amite County, they are under investigation for segregated classrooms and segregated buses?

And in East and West Jasper, they are under investigation for allowing free transfer out of desegregated schools?

And in Vicksburg, they are under investigation for segregated extracurricular activities?

In Laurel County, they are under investigation for demotion of black teachers?

In Leake County, they are under investigation for segregated classrooms and teacher firings?

Would the gentleman say that this is progress?

Mr. WHITTEN. Mr. Chairman, I do not yield further, because I want an opportunity to answer the gentleman. The gentleman has just pointed out that the Department of Justice is active in my State as are the courts. What the gentleman has pointed out shows the Department of Justice and the courts in my small State of 2 million people have taken a hundred times as much action as they have done in the State of Ohio. It is more than is being done in any of the big Northern States that you can name.

But, wait a minute. If you strike those provisions out, Secretary Richardson can withhold your money. He can force you to bus your child even though the school be desegregated. He refers to de facto segregation and de jure segregation; as a long-time lawyer, it took some stretching of the law for judges to make this distinction. Actually it is a distinction without a difference, except they wanted to bear down on my area where we have few votes, and avoid further confrontation in Chicago, Cleveland, and the other big cities of the North, where the overwhelming majority of the votes are.

I hope the Members will strike down the amendment; let us keep these provisions in the bill. They would not solve a difficult problem, but they will help.

Mr. JONAS. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from North Carolina is recognized for 5 minutes.

Mr. JONAS. I will not take the 5 minutes. The time is late. Members are anxious to finish this bill. I only take time to urge my colleagues to vote down this motion to strike these two sections. The arguments advanced by the gentleman from Mississippi are unanswerable, in my opinion. He makes very clear what the two sections do, contrary to what they have been represented as I intended to do.

It should be remembered and noted that this is not substantive law that we are enacting here. These sections constitute a limitation on the use of funds. That is all they do. They merely provide that no part of the funds provided in this act shall be used to force action upon school districts that are fully integrated in accordance with the provisions of the Civil Rights Act of 1964. If a school district has been desegregated as required by that act, and if the desegregation exists, this language merely denies the use of funds by a bureaucrat in Washington to force the school district to assign students to particular schools on the basis of race, color, or creed. That is just exactly what Brown against Board of Education undertook to eliminate—the assignment of schoolchildren to particular schools on the basis of race or color. It is hard to understand why people who so strongly favor desegregated schools would support a proposition that would force the school districts to assign students to particular schools on the basis of their race or color. That is exactly what the Supreme Court has been saying is unconstitutional. And that is all that these two sections do—merely denies the bureaucrats in Washington the right to use any part of these funds to force a school district to assign students to particular schools on the basis of race or color. It would seem to me that all of the people who favor school desegregation would be in favor of these two sections, and I urge defeat of the motion to strike them.

Mr. CELLER. Mr. Chairman, I rise in support of the amendment.

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

Mr. CELLER. Mr. Chairman, I do not agree with the distinguished gentleman from Mississippi. His proposal, while not apparently forcing anything, does have a covert purpose; namely, to discourage a unitary school system. Sections 309 and 310 are not innocent, not by a long shot.

They imply grave danger. They will add fuel to the flames of segregation.

Sections 309 and 310 have an obvious purpose—to prevent a unitary system of education, free from the evil of segregation. These sections do not say this in so many words, but that is the clear intent.

It is tragic that 17 years after the Brown decision of 1954, those opposed thereto have been able to foist upon this appropriation bill the attempt to prevent the Office of Education from carrying out its solemn obligation to desegregate the schools.

Sections 309 and 310 propose to prohibit use of busing as a means to effect desegregation. It often takes less busing to desegregate schools than to segregate them.

"The legal impact of these sections is

dubious," says the Leadership Conference on Civil Rights, "but their intent is mischievous. Their practical effect is to confuse the issue, to hold out false hopes to those who continue to resist the law and to dishearten those who want to comply with it."

As I have previously stated on the floor of the House, the Whitten amendments would encourage the evil of segregation.

Six times such amendments have come before us as riders to appropriation bills. This is not the first time. This is an unwise practice and an effort to rewrite the Civil Rights Act of 1964. That act was sponsored and floor managed by me and I shall not remain passive while it is emasculated. Every effort must be made to wipe the slate clean of these debilitating amendments.

All children, white and black, are entitled to equal educational opportunities. These sections deny this basic concept. The preponderating number of black children are still in segregated schools. Make no mistake about it. We must not move backwards.

The cry of the segregationists is "freedom of choice."

The words now used are, "No part of the funds contained in this act may be used—to force the transfer or assignment of any student attending any elementary or secondary school so desegregated to or from a particular school over the protest of his or her parents or parent." The courts have held this idea of "freedom of choice" unacceptable. These sections 309 and 310 might permit "freedom of choice," which issue the Supreme Court in the Green case met head on and in effect said, "Freedom of Choice" shifted the burden to Negro parents and children—a duty which belongs to school officials; namely, the duty to "convert to a unitary system in which racial discrimination would be eliminated root and branch"—391 U.S. 430, 438.

The Court continued and said that if, as an alternative to "freedom of choice," "There are reasonably available other ways, such for illustration as zoning, promising speedier and more effective conversion to a unitary nonracial school system—then—'freedom of choice' must be held unacceptable."

There has been enough, as the Germans say, "Sturm and Drang" in the passage of civil rights laws. Let us not now give up the struggle for decency and honor by these harsh sections. Let us continue the voice of Leviticus—and Leviticus, Members may remember, said—"Proclaim liberty throughout the land" to all the inhabitants thereof—not to some but to all the inhabitants thereof.

Therefore, I ask and urge that we wipe out sections 309 and 310.

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

Mr. CELLER. I yield to the gentleman from Mississippi.

Mr. WHITTEN. May I say to the gentleman, there is much which can be said for his argument if I could here change the basic law. I believe he would agree that these provisions by the rules have to be only a limitation on the use of the money in this bill, which is ap-

propriated for education, to limit what can be done with the money appropriated for education, and I could destroy the basic Civil Rights Act. It leaves the courts free to do that which they had the right to do in the beginning, and also the responsibility.

Will the gentleman agree that these amendments are a limitation on the money in this bill for education, which leaves that money available for education? It merely says they cannot use this money to force these very things provided the school is already integrated as provided by Congress.

Mr. CELLER. I have the greatest respect for the gentleman. We have served together for a great many years. Of course, that does not mean I cannot differ with the gentleman.

I must respectfully differ with the gentleman. If the language has the import he says, there is no need to have that language in the bill at all. Leave it out.

Mr. WHITTEN. The gentleman, being from New York City, the gentleman would be unfamiliar with these facts, but throughout my area prior to these provisions the Department of Education sent into practically every school two or three or four youngsters, 23 or 24 years old, who were telling them how they had to run the schools. Seldom did they have any experience as administrators. These provisions has stopped that. It is making for a better situation. In the gentleman's city he would be unfamiliar with that for the Department has not done that to you.

Mr. CELLER. I understand the Department of Education opposes these sections.

Mr. CONYERS. Mr. Chairman, I rise in support of the amendment.

We have been through this for a number of years. I should like to ask the ranking minority Member, the gentleman from Illinois (Mr. MICHEL) if I could gain his attention for a minute, if he has a position on the amendment the Chamber is now debating?

Mr. MICHEL. Well, I have made the point in our subcommittee, in deliberations, that I was going to stand by the committee's position. I have no really strong feelings one way or the other. As a matter of fact, even with the amendments there the Department is doing what it wants to do and everybody seems to be happy. In view of that, I just take a kind of neutral position.

Mr. CONYERS. I thank the gentleman.

I should like to ask the distinguished subcommittee chairman, the gentleman from Pennsylvania, what his position on this amendment is?

Mr. FLOOD. The amendment is in the bill.

Mr. CONYERS. Thank you.

I would hope we would join with the gentleman from Massachusetts (Mr. CONTE) and delete these provisions. In my judgement, the hypocrisy of these provisions is a disgrace to this Chamber.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. CONTE).

The Chair will clarify the question by

saying that the amendment only covers section 309. In the debate several Members have assumed it covers both 309 and 310. The vote is on the amendment offered by the gentleman from Massachusetts (Mr. CONTE) with reference to section 309.

The question was taken; and on a division (demanded by Mr. CONTE) there were—ayes 63, noes 89.

## TELLER VOTE WITH CLERKS

Mr. CONTE. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. CONTE. Mr. Chairman, I demand tellers with clerks.

Tellers with clerks were ordered; and the Chairman appointed as tellers Mr. CONTE, Mr. JONAS, Mr. STOKES, and Mr. WHITTEN.

The Committee divided, and the tellers reported that there were—ayes 149, noes 206, answered "present" 0, not voting 78, as follows:

[Roll No. 53]

[Recorded Teller Vote]

AYES—149

|               |                 |               |
|---------------|-----------------|---------------|
| Abourezk      | Ford,           | Mosher        |
| Abzug         | William D.      | Nedzi         |
| Adams         | Forsythe        | Nix           |
| Albert        | Fraser          | Obey          |
| Annunzio      | Frelinghuysen   | O'Neill       |
| Ashley        | Frenzel         | Patten        |
| Aspin         | Gallagher       | Perkins       |
| Badillo       | Gaydos          | Pike          |
| Barrett       | Gonzalez        | Price, III.   |
| Begich        | Grasso          | Quile         |
| Bergland      | Gude            | Railsback     |
| Biaggi        | Hamilton        | Rangel        |
| Biester       | Hanley          | Rees          |
| Bingham       | Harrington      | Reid, N.Y.    |
| Blatnik       | Hathaway        | Reuss         |
| Boggs         | Hawkins         | Riegler       |
| Boland        | Hechler, W. Va. | Robison, N.Y. |
| Bolling       | Heckler, Mass.  | Rodino        |
| Brademas      | Helstoski       | Roncalio      |
| Brasco        | Hicks, Wash.    | Rooney, N.Y.  |
| Brown, Ohio   | Hollifield      | Rooney, Pa.   |
| Burke, Mass.  | Horton          | Rosenthal     |
| Burton        | Howard          | Rostenkowski  |
| Byrne, Pa.    | Jacobs          | Roush         |
| Carey, N.Y.   | Johnson, Calif. | Roybal        |
| Carney        | Karath          | Ruppe         |
| Celler        | Kastenmeier     | Ryan          |
| Chisholm      | Keith           | St Germain    |
| Cleveland     | Koch            | Scheuer       |
| Conte         | Kyros           | Schwengel     |
| Conyers       | Leggett         | Sisk          |
| Cotter        | Link            | Smith, N.Y.   |
| Coughlin      | McClory         | Stafford      |
| Culver        | McCormack       | Stanton,      |
| Daniels, N.J. | McDade          | J. William    |
| Dellenback    | McFall          | Stanton,      |
| Dellums       | McKinney        | James V.      |
| Denholm       | Madden          | Steiger, Wis. |
| Dent          | Mailliard       | Stokes        |
| Diggs         | Meeds           | Stratton      |
| Donohue       | Melcher         | Sullivan      |
| Dow           | Metcalfe        | Symington     |
| Drinan        | Mikva           | Tierman       |
| Dulski        | Miller, Calif.  | Udall         |
| Eckhardt      | Minish          | Vanik         |
| Eilberg       | Mink            | Whalen        |
| Evans, Colo.  | Mitchell        | Whinnell      |
| Fascell       | Monagan         | Wolff         |
| Findley       | Moorhead        | Wylder        |
| Fish          | Morgan          | Yates         |
| Foley         | Morse           |               |

NOES—206

|               |                |               |
|---------------|----------------|---------------|
| Abbott        | Belcher        | Burlison, Mo. |
| Abernethy     | Bennett        | Byrnes, Wis.  |
| Addabbo       | Betts          | Byron         |
| Anderson,     | Bevill         | Caffery       |
| Calif.        | Blackburn      | Camp          |
| Anderson,     | Blanton        | Carter        |
| Tenn.         | Bow            | Casey, Tex.   |
| Andrews, Ala. | Brinkley       | Cederberg     |
| Andrews,      | Brooks         | Chamberlain   |
| N. Dak.       | Broomfield     | Chappell      |
| Archer        | Brotzman       | Clancy        |
| Arends        | Broyhill, N.C. | Clark         |
| Ashbrook      | Buchanan       | Clausen,      |
| Aspinall      | Burke, Fla.    | Don H.        |
| Baring        | Burleson, Tex. | Clawson, Del  |

|                 |                 |                |
|-----------------|-----------------|----------------|
| Collier         | Johnson, Pa.    | Roberts        |
| Collins, Tex.   | Jonas           | Robinson, Va.  |
| Conable         | Jones, N.C.     | Rogers         |
| Corbett         | Kazen           | Roy            |
| Crane           | Keating         | Runnels        |
| Daniel, Va.     | Kee             | Ruth           |
| Davis, Ga.      | Kemp            | Sandman        |
| Davis, Wis.     | King            | Satterfield    |
| de la Garza     | Kuykendall      | Saylor         |
| Dennis          | Kyl             | Scherle        |
| Derwinski       | Landgrebe       | Schmitz        |
| Devine          | Landrum         | Schneebell     |
| Dickinson       | Latta           | Scott          |
| Dingell         | Lennon          | Sebelius       |
| Dorn            | Lent            | Shoup          |
| Downing         | Lloyd           | Shriver        |
| Duncan          | Lujan           | Sikes          |
| duPont          | McCollister     | Slack          |
| Edmondson       | McDonald,       | Snyder         |
| Edwards, Ala.   | Mich.           | Spence         |
| Eshleman        | McEwen          | Springer       |
| Evins, Tenn.    | McKevitt        | Steed          |
| Fisher          | McMillan        | Stevens        |
| Flood           | Mahon           | Stubblefield   |
| Flowers         | Mann            | Stuckey        |
| Ford, Gerald R. | Martin          | Taylor         |
| Fountain        | Mathias, Calif. | Teague, Calif. |
| Frey            | Mathis, Ga.     | Teague, Tex.   |
| Fulton, Pa.     | Mayne           | Terry          |
| Fulton, Tenn.   | Mazzoli         | Thompson, Ga.  |
| Fuqua           | Michel          | Thomson, Wis.  |
| Califanakis     | Miller, Ohio    | Thone          |
| Gettys          | Mizell          | Ullman         |
| Glaimo          | Mollohan        | Vander Jagt    |
| Gibbons         | Montgomery      | Veysey         |
| Goldwater       | Myers           | Vigorito       |
| Goodling        | Natcher         | Wampler        |
| Griffin         | Nichols         | Ware           |
| Gross           | O'Konski        | Watts          |
| Gubser          | Passman         | Whalley        |
| Hagan           | Patman          | White          |
| Hall            | Pettis          | Whitehurst     |
| Hammer-         | Pickle          | Whitten        |
| schmidt         | Pirnie          | Wiggins        |
| Harsha          | Poff            | Williams       |
| Hastings        | Powell          | Wilson, Bob    |
| Henderson       | Preyer, N.C.    | Winn           |
| Hillis          | Price, Tex.     | Wright         |
| Hogan           | Pryor, Ark.     | Wyatt          |
| Hosmer          | Pucinski        | Wylie          |
| Hull            | Purcell         | Wyman          |
| Hungate         | Quillen         | Young, Fla.    |
| Hunt            | Randall         | Young, Tex.    |
| Hutchinson      | Rarick          | Zablocki       |
| Ichord          | Reid, Ill.      | Zion           |
| Jarman          | Rhodes          |                |

ANSWERED "PRESENT"—0

NOT VOTING—78

|                 |               |                |
|-----------------|---------------|----------------|
| Alexander       | Haley         | O'Hara         |
| Anderson, Ill.  | Halpern       | Pelly          |
| Baker           | Hanna         | Pepper         |
| Bell            | Hansen, Idaho | Peyster        |
| Bray            | Hansen, Wash. | Poage          |
| Brown, Mich.    | Harvey        | Podell         |
| Broyhill, Va.   | Hays          | Roe            |
| Cabell          | Hébert        | Rousselot      |
| Clay            | Hicks, Mass.  | Sarbanes       |
| Collins, Ill.   | Jones, Ala.   | Seberling      |
| Colmer          | Jones, Tenn.  | Shibley        |
| Corman          | Kluczynski    | Skubitz        |
| Danielson       | Long, La.     | Smith, Calif.  |
| Delaney         | Long, Md.     | Smith, Iowa    |
| Dowdy           | McCloskey     | Staggers       |
| Dwyer           | McClure       | Steele         |
| Edwards, Calif. | McCulloch     | Steiger, Ariz. |
| Edwards, La.    | McKay         | Talcott        |
| Erlenborn       | Macdonald,    | Thompson, N.J. |
| Esch            | Mass.         | Van Deerin     |
| Flynt           | Matsunaga     | Waggonner      |
| Garmatz         | Mills         | Waldie         |
| Gray            | Minshall      | Wilson,        |
| Green, Oreg.    | Moss          | Charles H.     |
| Green, Pa.      | Murphy, Ill.  | Yatron         |
| Griffiths       | Murphy, N.Y.  | Zwack          |
| Grover          | Nelsen        |                |

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 310. No part of the funds contained in this Act shall be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students; to require the abolishment of any school so desegregated; or to force on account of race, creed, or color the transfer of students to or from a particular school so desegregated as a condition precedent to ob-

taining Federal funds otherwise available to any State, school district or school.

AMENDMENT OFFERED BY MR. CONTE

Mr. CONTE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CONTE: On pages 11 and 12, strike out section 310.

Mr. CONTE. Mr. Chairman, if I can have the attention of Members, I realize the temperament of the House, as the last vote told me the story. There is no use delaying the adjournment of the House. I have not lost my desire or motive with regards to the Whitten amendment in this bill, but I will not detain the House any longer, and ask for a vote.

Mr. Chairman, I wish everybody a happy Easter.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. CONTE).

The question was taken; and on a division (demanded by Mr. CONYERS), there were—ayes 92, noes 157.

So the amendment was rejected.

Mr. BROOMFIELD. Mr. Chairman, I doubt any Member of this body would deny the serious problems that have grown up in the impact aid program. The well-worn case of Montgomery County—one of the richest areas in the Nation, yet one of the prime recipients of impact aid—demonstrates the inequity and abuse which has come to distort the program's original intent. For 21 years now, educators, citizens, and Presidents have recommended a revision of impact aid, and for 21 years Congress has steadfastly refused to listen. This session looks no different.

The education appropriations bill we are debating today raises the administration's budget request for impact aid by \$137 million. All of the additional funds will be spent on the part B category of impact aid, the category most seriously in need of change. I cannot support the committee's action in this area, and I suggest strongly that this \$137 million be stricken from the bill.

The basic concept behind impact aid was, and remains sound. Local taxpayers should not be expected to bear the full cost of the education of children whose parents live on Government property. Federal installations, in contrast to privately owned property, are exempt from local taxes, which are, of course, the main source of school revenues. Impact aid was designed to provide money to school districts in lieu of property taxes.

Yet, of 2.6 million children who fell under the impact aid program in 1969, only 359,000 were category A students; children whose parents both lived and worked on Federal installations, and therefore, paid no local property taxes. The remainder, over 2.2 million, were classified as category B students, whose parents worked on Federal installations, but lived on and paid taxes for local property. As a result, impact aid to school districts with category B children was not a replacement for property taxes, but a supplement to them.

This is borne out by all our available evidence. A recent study found that districts with a large percentage of B stu-

dents are characterized by better pupil-teacher ratios, higher per pupil expenditures and lower tax rates than districts with lesser Federal impact or no impact at all. One need only look at Montgomery County to recognize the truth of this description.

Literally hundreds of school districts eligible for impact aid suffer no adverse effect from the presence of federally connected children. On the contrary, a Federal activity is usually a major and much-prized economic benefit, for by raising incomes and land valuations it increases property taxes. Impact aid for these districts is just an added and unnecessary source of education revenue.

There are many, much poorer districts around the country which could well use this Federal money. The administration's special revenue-sharing program for education would see that these areas receive some help by channeling category B money directly to the States. The States, in turn, would decide what local units could best use the Federal funds. This seems to me a much fairer approach to the problem.

To increase the appropriation for part B impact aid would only perpetuate the inequities which now exist, I see little point in expanding a program that everyone recognizes as fundamentally unfair, and I urge that this section of the bill be defeated. The committee's action is a disservice to anyone who values the principal of equal education for all.

Mr. TALCOTT. Mr. Chairman, because of the delayed scheduling and of the extended debate on the education appropriation bill for fiscal year 1972, I will be forced to be absent from the House floor at the time of the vote on final passage in order to meet a speaking commitment of long standing in Des Moines, Iowa.

I, therefore, wish to be recorded as favoring final passage of this appropriation bill even though it exceeds the President's budget request by several hundred million dollars.

It is my hope that at this juncture next year, we will have adopted revenue sharing for education and that a more generous and equitable distribution of Federal funds will rebound to education—one of our most urgent unmet national goals.

Today we are caught between the increasing need for more funds for education and the critical necessity of curbing Federal expenditures in our efforts to reduce the devastating effects of inflation upon all segments of our society—including students and other young persons.

If the proposed budget is to be exceeded, education must be an appropriate place.

I believe the increase proposed by the Committee on Appropriations was thoroughly considered and it was as reasonable a resolution of a difficult and delicate dilemma as possible.

Mr. GRIFFIN. Mr. Chairman, the question of the total effect of racial integration in public schools must be faced with realism.

Two recent writings have come to my attention. They are thought provoking and deserve consideration by Government officials and the public.

The first appeared in the Washington Post on April 4, 1971. It deals with racial segregation in Boston.

The second is a paper written by the eminent scholar, Henry E. Garrett, Ph. D. Sc. D.

The writings follow:

**APARTHEID IN URBAN SCHOOLS—BOSTON TYPIFIES BATTLE OVER INTEGRATION**

(By Peter Millus)

BOSTON.—If Boston, Mass., were Little Rock, Ark., Sen. John L. McClellan (D-Ark.) gruffly told the witness at a hearing in Washington last August, "you would be down there tomorrow."

The witness was Attorney General John N. Mitchell. He had just testified that, in his opinion, Boston's "open enrollment policy," a shaky exercise in the simultaneous appeasement of both whites and blacks on school integration, was unconstitutional.

The policy is a system under which black children are allowed to transfer out of black schools into white ones; it is a citywide invitation to integration. Yet it is also, as the senator had pointed out, a system under which white children, too, are allowed to escape into white schools if they are somehow assigned to black ones; it can and often does also lead toward segregation.

The South, as everyone in the room knew, had also had an "open enrollment policy." Its kind had been known as "freedom-of-choice," and it, too, had allowed black and white children to attend integrated schools, but only as they chose it.

Freedom-of-choice had been attacked by the Justice Department and struck down by the federal courts. What was Mitchell going to do now about open enrollment, McClellan asked.

There was nothing he could do, Mitchell said, because no Boston parent had complained.

The 75-year-old Arkansas senator exploded. "Now that," he said, "is a double standard in America today."

The Department of Health, Education and Welfare has, since McClellan's outburst, quietly dispatched a small team of civil rights investigators to this Northern city. It says today that Boston is one—the largest—of about 50 Northern school districts in which it has looked or is looking intensively for violations of the federal civil rights laws.

It is one of the ironies of today's politics that a senior Southern senator should have helped spur on these investigations. Yet the whole episode—McClellan's scathing remarks, the government's halting response—is a telling summary of some powerful new truths about school integration in this country.

The first of these truths, and the most basic, is that the integration background has shifted. Today it is in the big cities. More than 50 per cent of the nation's 6.7 million black school children now attend its 50 largest school districts according to federal figures. Technically at least, and though problems still abound, the rural and small-town school districts of the South, the scenes of the big battles of the 1960s, have desegregated. The South's classic dual school system is no more.

And in some cities, the issue is rapidly becoming moot in any case. Washington, D.C. is an example. Its school system is 95 per cent black, and there is no way to integrate.

The second truth is that, however they got that way, the cities of the North and South are today the same. Little Rock is where President Eisenhower had to send armed troops in 1957 to safeguard the right of black school children to attend formerly white schools. Boston, as McClellan wryly noted at that hearing in August, "is the city often represented as the cradle of American liberty."

Yet in both today, there is something ap-

proaching educational apartheid. Blacks go primarily to black schools in black neighborhoods, white the reverse. The only apparent, immediate way to break up the pattern is to bus. But in both today, Boston and Little Rock, North and South, whites and increasingly, blacks as well, are resisting busing. For many blacks, integration is no longer the pathway to better education. Black control is.

The third truth is that integration thus is at a crossroads. Lawyers, judges, and the government used to make a distinction between "de jure" segregation—the deliberate, official kind, which is illegal—and "de facto" segregation—the kind that reflects residential patterns, and which is not illegal. The South was de jure, the North, for the most part, de facto. Yet today, in the cities at least, there is no difference between them. There is a widely recognized need for a new set of standards, one that would be both urban and national.

The Supreme Court is now trying to write such standards. It soon will decide two key urban cases, both from the South, one from Charlotte, N.C., the other from Mobile, Ala. Charlotte is busing, and has no more distinctly black schools. Mobile is not busing, and does. The President and the Justice Department are supporting the Mobile alternative. The Supreme Court must choose.

Congress also is writing a new law. It has before it President Nixon's \$1.5 billion school desegregation bill. The questions are how the money should be used and to whom it should go, whether there should be pressure or a command in favor of full integration or something less. Congress, too, has to choose.

McClellan's hope, the hope of the Southerners, is that these emerging new standards will be weak ones. Their reasoning is that pressure now in the North will produce resistance now—and that, if the Bostons of the country can ultimately ward off integration, so can the Little Rocks.

In many ways, this city of historic landmarks and major universities seems an odd testing-place for school integration. It was, as every schoolboy knows, a home to the first American Revolution. It also was a breeding-ground for the second. Leading abolitionists, men who sought to strike down slavery, wrote their tracts here. In 1855, the state legislature passed a law prohibiting discrimination in the public schools. In school admissions, the legislature said, "no distinctions shall be made on account of . . . race."

In 1965, 110 years later, the state seemed at the forefront of still a third revolution. The state legislature passed another law, the Racial Imbalance Act. It was then, and remains today, the strongest school integration law in the country.

Its key provision was a simple, powerful declaration that no public school in Massachusetts could any longer be "racially imbalanced," which it defined as more than 50 per cent non-white in enrollment. A school committee (local school board) that had such schools had to balance them or forfeit its state funds.

The primary target of the act was the spreading "defacto" segregation—the kind that flows from housing patterns—here in Boston. The Boston public school system was then about 25 per cent black in enrollment. It had about 60 per cent of the state's nonwhite school children—and contained 46 of its 55 "racially imbalanced" schools.

The Racial Imbalance Act was, on paper at least, a high-water mark in the history of school integration. Time magazine printed a picture of the governor, John A. Volpe, as he "proudly" signed the bill. Standing behind him were the lieutenant governor, Elliot L. Richardson, the attorney general, Edward W. Brooke, and various others, black and white, who had supported the measure. "Another First for Massachusetts," Time proclaimed it.

Yet today that mild euphoria seems to have been misplaced. The Racial Imbalance Act has not reduced racial imbalance in Boston. The Boston public school system is no longer 25 per cent black in enrollment, but 32 per cent. It no longer contains 46 "racially imbalanced" schools. It contains 63.

The approaching racial harmony suggested by that six-year-old picture in Time also seems a thing of the past. For the last two months, a daily minimum of 1,000 black students has been boycotting the Boston schools. Their protest is not that their schools are too black, but that they are not black enough. They want more black teachers—Boston now has only 5 per cent—more black principals and additional "black studies." Ultimately, their leaders say, they want black self-determination, some form of what is commonly known as community control. Their elders, many of them committed integrationists in 1965, are for the most part quietly supporting them.

The public officials in the Time photograph also have moved on. Volpe is now President Nixon's Secretary of Transportation; Brooke, the only black U.S. senator and a first for Massachusetts, Richardson is Secretary of Health, Education and Welfare. It is another of the ironies of this case that his department is now investigating Boston. "It is," as McClellan noted with considerable satisfaction at the hearing last August, "his home."

Richardson's team began its study of Boston last November. It is not expected to submit even its preliminary report for at least another month. In a sense, the study is itself a measure of the current confusion over what the Constitution requires, and what the federal government should require. The only question before the HEW team is how much of Boston's school segregation is the result of official policies, the kind that the lawyers call "de jure." Under the law now, that is the only kind of segregation HEW can attack.

In the South, the presumption has been that all segregation is de jure, the result of the old Southern laws. Yet in cities like Little Rock, with their ghettos, that presumption becomes increasingly hard to sustain. In the North, the presumption has been that most segregation is de facto, inadvertent and not illegal. That presumption, too, tends to fray on close study.

This city's 63 "racially imbalanced" schools are indeed a mirror of its social geography. Most of them lie well within its sprawling and spreading black neighborhoods, the heart of which is the area called Roxbury.

The school committee is able to point out that it has only 14 all-white schools, and only three all-black, out of a total of 193. Yet many others are tilted heavily in one direction or the other. Of the 31,324 black pupils 52 per cent, 16,289, are in schools 80 per cent or more black by enrollment. Seventy-six per cent, 23,893, are in the 63 schools more than 50 per cent black in makeup, those "imbalanced" under the state law.

As early as 1966, a team of social scientists from the Joint Center for Urban Studies here told both the city and state, which had solicited its views, that there was only one way to get white children into Roxbury schools, and black children out, and that was to bus.

"There is no foreseeable program," the team said, "which can eliminate more than a fraction of the racial imbalance which now exists in Boston without transporting children to schools outside their residential districts, presumably on buses."

Yet the Boston School Committee, all five of whose elected members are white, will not hear of busing, at least not on a large and compulsory scale. Nor, so far, has the state Board of Education, the agency responsible for enforcing the state law, been willing to insist upon it.

One argument against it is legal; the Racial Imbalance Act contains a partial ban on busing, nailed into it by the Boston delegation when the legislature passed it. Yet the ban, according to some civil rights lawyers, could be circumvented argument against busing is political. The former School Committee chairman, Louise Day Hicks, was elected last year to Congress, in large measure on the strength of her long record as an adamant supporter of "neighborhood schools." Her political success has not been lost on either her successors or her antagonists.

Two busing programs are in operation in Boston today. Both are privately run, both voluntary, both small and both one-way. The first, Exodus, transports about 725 black pupils out of Roxbury into white Boston schools. The other, METCO, Metropolitan Council for Educational Opportunity, buses about 1500 black children into 33 of Boston's suburban school systems. Both are financed by the state board, neither in any way by Boston School Committee.

What the school committee has put forward as a substitute for busing—and the state board has so far approved—is an anti-imbalance plan based on two lesser alternatives, one long-range, the other short.

The long-range plan is to build about 20 new and, it is hoped, racially balanced schools of two distinct kinds. The first is what the school committee describes as "magnet schools," inside the black parts of town. The second is a ring of peripheral schools on the city's black-white borders.

Both of these longer range strategies have had their problems. The first of the magnet schools, Trotter Elementary, opened in the heart of Roxbury in 1968. It was and remains a high-expenditure, experimental and fully integrated (though not quite "racially balanced") school. The blacks enrolled are drawn from the neighborhood; the whites are bused in. A measure of the school's widely acknowledged success is that it has a waiting list of both whites and blacks.

Ironically, the whites already enrolled and on the waiting list represent the problem at Trotter. Trotter was the first new school built in a black neighborhood in Boston in what some blacks say was 30 years. It opened amid protest. Roxbury blacks were unhappy that half of its seats were reserved for whites. Is it better to have 350 Roxbury children in a racially balanced school, or 700 in a new school that happens to be all-black? The question is still being asked.

The problem with the peripheral schools is also one of race and residence, but far simpler. About 18 are planned; only one has been built. The black-white borders on which some of the others were planned are moving beyond them; the ghetto is growing out faster than the schools are going up. Some of them, if they are built where planned, will be as imbalanced as those they replace.

The school committee's shorter-range plan is also in trouble; its plan for the short run is simply to persist in its open enrollment policy. The committee says it adopted the policy in the early 1960s basically as a concession to blacks. It has the effect, as in the Exodus program, of allowing black children to move out of black schools into white ones. Yet it allows white children to do the same.

The Lewenberg Junior High School south of Roxbury was 25 per cent black in 1965. It is 96 per cent black today. The School Committee says the school was transformed only when the neighborhood was. Neil V. Sullivan, the state's commissioner of education, says the school was transformed first.

The open enrollment policy, Sullivan testified before a Senate committee last May in Washington, "permitted these middle-class children to escape from that school, continue

to live in their community but go to all-white schools in Boston on the periphery."

It was Sullivan's testimony in May that led to McClellan's outburst last August, and that may be the ultimate irony of school integration in Boston. For Sullivan is perhaps the nation's leading practicing apostle of school integration. He is also, by his simple presence, the one good reason for thinking that school integration may yet come to pass here.

The commissioner came to Massachusetts in 1967 from Berkeley, Calif., which he had built into one of the most integrated major school systems in the country today. The Racial Imbalance Act helped to attract him; he is now in the process of cracking down, and trying to make its terms come true.

There are two other school systems in the state that have, in proportion to their size, major problems of racial imbalance. They are Springfield and New Bedford. The state board is insisting that both eliminate all their imbalance by next September. The tactic is ancient: Smaller fish first, the largest last.

Late last year, at Sullivan's urging, and at HEW's, too, the state board also ordered Boston to rewrite its open enrollment policy. Transfers would only be allowed if they reduced imbalance. Whites in black schools would have to stay, or not stay in the system.

The School Committee has threatened to take the state board into court. So far it has not.

Boston's only black city councilman, Thomas Atkins, who plans to run for mayor this fall, thinks Sullivan may have come too late. "At time when the problem was solvable," he says of the state Board of Education, "they were unwilling. Now they're willing, and it's unsolvable."

Whites here have their suburban schools, Catholics a huge parochial system, which in the city of Boston alone has an enrollment of about 30,000. Blacks, too, have now begun to develop "alternative schools," there are three now, privately run, hard pressed for funds, predominantly black, in the Roxbury area.

Atkins' solution, much like that of the boycotting black students, is to carry these black alternatives one step further, toward a form of "community control."

Six years ago, Atkins, like other blacks, was calling for integration of the Boston public school system. Today, again like other blacks, he is calling instead for its dissolution.

"There is no reason why, if a (suburban) town is capable of running its own school system," Atkins says, "a big-city neighborhood is not. It's a fiction. We have to break down the concept of centrally administered systems."

Sullivan's answer is to generally recall something Robert F. Kennedy once said:

"If we don't have people of different colors and religions going to school together, we will have local school boards that are all black power or all middleclass Negro or all Irish or all Italian. They will put themselves in concrete, and we will never have any possibility of achieving a relationship among various ethnic groups."

In Sullivan's view, it is all quite stark. "The base of this whole thing," he says, "is the survival of the democracy."

#### HEREDITY'S THE CAUSE OF RACIAL DIFFERENCES IN INTELLIGENCE

(By Henry E. Garrett, Ph. D., Sc. D.)

By now it must be obvious to all but the most thoroughly indoctrinated that school desegregation has failed miserably. Our public schools are a mess. Washington public schools, for instance, once heralded as the showpiece of integration, are now 95 percent Negro, and have all but ceased their function as educational establishments; they have

become custodial institutions in which teachers fear for their lives.

And these schools are not exceptional. Wherever massive race mixing takes place, demoralization follows disorganization. New York City schools, once boastful of their high quality are hovering on the brink of ruin. Day by day, reports are heard of truancy, of stealing, of vandalism, and violence, all inspired by the false theories of the integrationists coupled with an incredible lack of discipline. The reports we do not get are far more numerous and, one suspects, far more critical, than those that make the newspapers—which systematically conceal the true conditions.

Thus, despite grandiose promises of "quality education", despite massive doses of taxpayers' money, our public schools are in deep and worsening trouble. Many indeed, have become Blackboard Jungles.

We are entitled to ask whether this state of affairs is necessary; how it came about and why we tolerate such madness now that the situation is apparent to even the casually interested.

Was it brought on by a misreading of the Negro's intellectual and temperamental gifts? Or is it, as we have been told, the result of invidious discrimination, oppression, prejudice, lack of incentives, and slum living?

There are two theories of why the Negro pupil lags. The first, the *genetic* view, would lay the blame on heredity. The *environmentalists* lay the blame on the environment.

We shall examine, in turn, these two views.

#### GENETIC THEORY

The *genetic* view holds that there are innate (inborn) differences between Negro and White. This theory is based upon the *genes*, those minute units (carried by the chromosomes) that are to be found in the cells of the human body.

Man has 46 chromosomes, of which 23 come from each parent. Hence, we resemble both parents—even grandparents and more remote ancestors, though not necessarily in like degree. Among those factors that are genetically determined are the body structure (height and weight), the glandular system, sex, hair and eye color, perception, level of intelligence and potential for learning.

Those who espouse the genetic theory are often labeled "racists" by those who deny the theory's validity. When used in this sense, the word becomes an epithet and is both incorrect and abusive. Such name calling is a true measure of the weakness in the argument of those who would deny the evidence encompassed by the genetic theory.

#### ENVIRONMENTAL THEORY

The other theory of race differences puts the burden on the environment. This is the view that *all* children have the same native potential and can learn at the same rate. This equalitarian dogma is largely a matter of faith, of wishful thinking. It makes a bow to heredity but argues that the undeniable differences between the races arise almost, if not entirely, from environmental pressures, many of which are under our control.

This paper holds that equalitarianism is dead wrong on both counts. Black and White children do *not* have the same potential, they do *not* learn at the same rate, and environment is not the sole cause of non-achievement.

It should not be thought from the above that *all* Negroes reason less well than *all* Whites. At least 1/6th of the Negroes do better than the average White of the same age—but 5/6ths do not.

We shall present the facts that amply support this view, that of heredity. The evidence comes from many sources, from biology, genetics, anthropology, psychology, and history.

#### BIOLOGICAL EVIDENCE FOR THE HEREDITY VIEW

1. *Anthropology & Biology*: Carleton Coon, past president of The American Anthropologi-

cal Association, describes five races of mankind, of which the White (Caucasoid), Yellow (Mongoloid), and Black (Congoloid) are by all odds the most important.

Arguing from fossil remains and anthropological research, Coon believes the Negro race is less well advanced in the evolutionary sense than is either the White or Yellow race; perhaps by as much as 200,000 years. This means that the Negro is *immature vis-a-vis* the White and Yellow races. Other evidence confirms Coon's opinion. Breeds of dogs correspond roughly to human races. Through selective breeding, dogs are bred to vary from the excitable terrier to the placid St. Bernard; from the slow-moving dachshund to the fleet greyhound. Man does not vary as much as do these carefully-bred dogs, but he differs markedly *inter se*, owing primarily to gene mutation plus nutrition, climate and disease—the same factors that alter dogs, or sheep, horses, or cattle. This is natural selection and is to be observed most dramatically, among humans, in pygmies or the Australian aborigines.

2. *Brain Physiology & Biology:* The Negro brain is slightly smaller than the White, but the difference is not great and there is much overlap. However, Connelly<sup>3</sup> has reported the Negro brain less fissured and less complex than the White. Vint<sup>15</sup> found reduced thickness in the frontal cortical brain layers. These brain areas are the latest evolutionary development and are operative in reasoning and abstract thinking.

3. *Body Growth & Development:* J. C. Carothers has advanced the theory of lazy frontal lobes to explain the backwardness of the Negro. He has written that the "peculiarly of African Psychiatry can be envisaged in terms of frontal idleness" (p. 157). Carothers, long a British physician in East Africa, believed the African to possess a mind more auditory than visual. He wrote that the African with his lack of synthesis must therefore use his frontal lobes very little. Most of the Negro's activity is sensory and motor.

Geber in a careful study of 107 African babies, found the rate of physical growth to be far more rapid than that of European babies. This growth advantage, Geber found, was lost at about three years of age; the Whites, thereafter, far outstripping the Blacks. Such accelerated-growth findings is in harmony with the work of the American psychologist, Kellogg who raised a chimpanzee in his home with his son. At first, the chimpanzee led the human in coordination and muscular development. But soon the child overtook and far outstripped the animal.

In general, intelligence is greater in species which develop more slowly.

All of this evidence shows the average Negro to be biologically *immature*, vis-a-vis the White; his brain is less well developed, his rate of growth rapid at first, then greatly retarded.

4. *Twins:* Over the past 25 years, numerous students have assigned to heredity 75- to 80 per cent of the differences in ability among children. These findings have grown out of the study of twins.

There are two sorts of twins, *identical* and *fraternal*. Identical twins arise from the double fertilization of a single ovum (egg) and have the same, or almost the same, inheritance. Fraternal twins arise from fertilization of two eggs and are compared with identicals. Identicals, however, provide the basic hereditary data.

In England, Burt and Darlington have assigned an even larger proportion of ability differences to heredity (90 per cent). Most recently, Jensen has received much publicity by rediscovering the large hereditary component in twins. Osborne has shown that mental test variables are inherited with the same strength as are physical and psychological measures.

Differences in mental traits between the races are not 100 per cent, as some people seem to think. Negroes do as well as Whites—perhaps better—on rote memory, and are quite verbal. However, they lag consistently when reasoning (mental manipulation with abstract symbols—numbers, ideas, etc.) is required.

If one group (race) is consistently ahead of another it is, unquestionably, different from the other. The equalitarians admit to this difference—they can hardly do otherwise—but it enrages them to speak of such differences as manifestations of "superiority", much as it might enrage a person who supports a "soft" currency to be told his money is "inferior" to the holder of "hard" money. They point to the dollar sign" on each and take their stand there.

PSYCHOLOGICAL EVIDENCE FOR THE HEREDITY VIEW

1. *Children:* There have been numerous comparative studies of Negroes and Whites on mental tests. These are usually not as convincing as is the biological material, because mental tests are subject to varying interpretations. Their general trend, however, is unmistakable.

Kennedy, von Riet, and White<sup>11</sup> measured individually the intelligence of 1,800 Negro children, five to 14 years of age. The 1960 edition of the Stanford-Binet was used and an IQ determined for each child. The average Negro IQ was 80; White, 102. Only five per cent of the Negro children achieved IQs above the average White, whereas 89 per cent of Whites scored above the average Negro child. Only 1-to-3 per cent of Negroes (as opposed to 15 per cent of Whites) can do acceptable college-level work.

Osborne measured the intellectual and educational growth of more than 800 Whites and Negroes over four grades: Fifth, Sixth, Eighth, and Tenth. The average IQ (group test) was 80; that of Whites, 103. The following table (Table 1) shows the average grade placement in reading and arithmetic for 1,000 White and 900 Negro pupils. (Only the Eighth and Tenth grades are shown).

TABLE I.—DIFFERENCES IN WHITE AND NEGRO PUPILS IN READING AND ARITHMETIC

|                          | 8th grade |            | 10th grade |            |
|--------------------------|-----------|------------|------------|------------|
|                          | Reading   | Arithmetic | Reading    | Arithmetic |
| White.....               | 7.7       | 8.0        | 9.6        | 9.5        |
| Negro.....               | 5.6       | 6.0        | 6.4        | 6.4        |
| Negro lag <sup>1</sup> . | 2.1       | 2.0        | 3.2        | 3.1        |

<sup>1</sup> Thus, the Negro lag is seen to be 2 to 3 grades.

The author has verified these results in testing 2,000 Negro and White pupils in the Seventh Grade of a Virginia city. He found the Negro lag to be closer to three grades than two. Teachers of the children participating in this study had received the same training in reading methods and had the same supervisor.

It is often claimed by well-meaning (but uninformed) people that the Negro is disadvantaged and that his backwardness comes from lack of "equal opportunity". This generous opinion, unfortunately, is quite fallacious. Opportunities are never equal unless those who face them have the same *potential* ability—the same inherited traits. The same opportunity offered to a dull boy and to a bright boy is not—and cannot—be equal. True enough, training will often improve the social acceptability of a retarded child but training can never make him "smart".

Evidence that training does improve but does not equalize is given in Shuey's monumental study. *The Testing of Negro Intelligence*, 2nd edition. This book reviews all

of the comparative racial studies over the past 50 years, about 400 of them. Mean differences for the White over the Negro were found for school children, college students, adults, deviates, and delinquents.

There is, to be sure, an overlapping of 10-15 per cent, i.e. 10-15 per cent of Negroes do as well or better than the average White. (Equality demands 50 per cent overlap). But the mean differences persist. One is forced, therefore, to conclude from the regularity and persistency of the results under all sorts of conditions that the evidence is strong (it is *all* the evidence there is) of a genetic basis for test differences.

A final study may be mentioned in which environmental factors have been equated as far as possible. Out of a total of some 3,000 high-school seniors in New Jersey and Pennsylvania, McGurk selected 213 Negroes and 213 Whites who could be matched for age, sex, course of study and for 11 socio-economic factors. Each student was given a test of 74 items, 37 of which were identified as *cultural* and 37 as *noncultural*. This two-fold classification was based on the opinions of 78 judges trained in psychology who sorted the more than 200 items. When the upper 25 per cent of each racial group was studied (53 Negroes and 53 Whites), the Negro overlap was 18 per cent. According to equalitarian theory, the overlap of these highly-selected Negroes (those most cultural) should have been far greater than the 15 per cent usually found in random groups. It was not.

2. *Adults:* For 50 years the Armed Forces tests (chiefly tests of abstract intelligence) have been administered to Negro and White recruits. Results for the latest (1966) testing are remarkably in accord with results for children in Table 1. Nationwide, 19 per cent of young White adults and 68 per cent of young Negroes have failed to pass the tests. Just 12 per cent of Negroes scored as well or better than the average White. This in close agreement with the 15 per cent for children. Some specific results of the Armed Forces tests are:

(a) About 75 per cent of Whites fall in Groups I, II, and III (see Table II). In contrast, 22 per cent of Negroes fall into these groups.

(b) About 25 per cent of Whites fall in score-groups IV and V (the lowest levels), whereas 75 per cent of Negroes place in these groups.

(c) The two top brackets contain 40 per cent of the Whites and about 4 per cent of the Negroes.

TABLE II.—NEGRO AND WHITE DRAFTEES RANKED IN MENTAL TEST CATEGORIES

| Mental groups     | In percent— |       |                                       |
|-------------------|-------------|-------|---------------------------------------|
|                   | White       | Negro |                                       |
| I superior.....   | 7.6         | 0.3   | 25 times as many whites as Negroes.   |
| II high.....      | 32.1        | 3.3   | 10 times as many whites as Negroes.   |
| III average.....  | 34.6        | 18.2  | Twice as many whites as Negroes.      |
| IV low.....       | 16.0        | 38.2  | Twice as many Negroes as whites.      |
| V borderline..... | 9.1         | 37.1  | Four times as many Negroes as whites. |

Source: American Education, U.S. Department of Health Education, and Welfare, Office of Education, October 1966.

A man's education and work history were also considered in his acceptance into the Armed Forces.

Results for young adults in college show the same Negro-White differences found in the public schools. The New York Times, September 9, 1967 carried a statement from Governor Kirk of Florida that only 38 per cent of White high-school seniors in his State were able to pass college-entrance examinations. Only 2 per cent of Negro high school seniors were able to pass. According

to Science (1967) only 5 per cent of Negroes in Michigan University scored in the upper 25 per cent of White students despite careful selection.

3. *Federal Studies Confirm Genetic Theory*: Three massive and expensive documents prepared under government auspices in an attempt to "prove" the equalitarian dogma. These studies are called *Project Talent* (1963); *Equality of Educational Opportunity* (1966); and *Racial Isolation in the Public Schools* (1965). They cover tests given elementary and high-school students. Testing was nationwide and sampling adequate. Detailed results follow:

(a) On 19 tests predictive of schooling, the trend was consistently downward as per cent of Negroes in classes increased. Losses of from 20 per cent to 80 per cent were registered in classes from all-White to all-Black. This in reasoning tests as well as in non-verbal tests. Losses in the East were slightly less than in the South.

(b) Quality of housing did not affect the scores, although it was predicted it would. In fact, in all-Negro schools, tests were actually higher in housing rated as of low quality than in housing rated medium and high quality.

(c) Drop-out rates and absenteeism increased in direct proportion to the number of Blacks in the school.

(d) Despite the American Indian's deplorable environmental restrictions, the Indians exceeded the Negroes in most scores.

(e) Only 15 per cent of the Negroes did as well as the average White student—a consistent finding.

(f) Improved performance by Negroes in White schools sometimes occurs when the Negroes are highly selected and brighter than those left behind. This improvement-by-picking-the-best is often improperly reported as the "typical finding".

So far as isolation affecting the Negro's performance, there are at least three groups that have been discriminated against and isolated as much or more than the Negro. These are the American Indian, the Jew, and the Chinese.

The Indian seems to prefer his own way of life apart from the White man and his civilization. Even so, he performed better on the mental tests in Federal studies than did the Negro.

The Jew has made his way despite obstacles, and we find Jews leading in business, science and the arts.

The Chinese, who are as high in tested intelligence as the Whites, never needed special incentives or "Head Starts" to appease them or have them "Catch Up".

Valiant efforts have been made to show that Negro-White differences can be eliminated by the use of special techniques. Remedial reading, enrichment programs, Higher Horizons, Community Zoning, Head Start, all represent these attempts. None has enabled the Negro to "Catch Up", despite the expenditure of much time and money. Only Head Start has had limited success. That came in teaching cleanliness, better manners and health habits.

#### DIFFERENCES IN HISTORY AND TEMPERAMENT

*History*: Despite glowing accounts of ancient African achievements, over the past 5,000 years the history of Black Africa is a cultural blank. South of the Sahara Desert, until the arrival of other races, there was no literate civilization.

Consider these facts: The Black African had no written language; no numerals; no calendar; no system of measurement. He did not devise a plow nor wheel, nor did he domesticate an animal; he built nothing more complex than a mud hut and thatched stockade. The Black African had no external trade except in slaves of his own race, in ivory, and (on the West Coast) in palm oil and mahogany. His system of cartage was the human head.

Instead of the legend of the happy savage basking in the shade of a friendly tree, the actuality was a miserable creature wracked by disease, by beasts and humans alike. The extreme cruelty of the Black African toward his own kind has often been commented upon by travelers.

*Temperament*: Civilized behavior arises almost as much from temperament and personality as from ability to learn. Differences between the races is nowhere better illustrated than in these areas. The crime rate of the Negro in the U.S.A., for example, is staggering and the cost of policing his unlawful acts is greatly disproportionate to both his numbers and his ratio in our total population. A recent FBI report shows that *per capita*, the Negro:

Had 10 times as many illegitimate children as White people;

Committed 13 times as many murders and manslaughter;

Committed six times as many robberies; and

Committed 10 times as many rapes and assaults.

#### COMMENT AND SUMMARY

It is clear that the case for genetic differences is as strong as a scientific case in the social sciences can be. Even if not conclusive, the fact that the Negro pupil is on the average 10-20 IQ points behind the White, and lags 2-plus grades in elementary school and up to four grades in high school is enough to render massive desegregation untenable and in any productive sense, unworkable.

In physical and motor skills, athletic prowess, the Negro often equals or exceeds the White. (This is especially true when the Negro is mulatto). But in man's most recent—and most valuable—acquisition, namely, the ability to think in the abstract, to reason with concepts, to use symbols (words, numbers, diagrams), to solve problems, the average Negro is immature (closer to childhood) than the White.

The official doctrine of HEW is equalitarianism. In its view, heredity counts for little, environment for all (or almost all) variability. This view has required all sorts of rationalizations to explain away Negro non-achievement.

Some of the "explainers" are fanatic idealists who cannot accept the fact that all men are *not* created equal; some are pragmatic politicians looking for votes; some are ordinary, uninformed or misinformed people; and some are unprincipled propagandists.

None is right and all are wrong. Several years ago, the Nobel laureate, Dr. William Shockley, proposed to the National Academy of Sciences that a straight-forward attack be made on the probable genetic basis for race differences. He was voted down by members who fell into one or more of the above-listed categories.

A Boas disciple, an anthropologist named Ashley Montagu, has written that "Great kingdoms were in Africa while many White men were still savages".

About one-third of that statement is true. There were, to be sure, three African kingdoms, savage kingdoms, in West Africa in the Middle Ages. They left no real art except a few bronzes whose artistic merit is questionable. They left no music, no literature, and no science. There is no history of early Africa written by an African—for the good reason that there was no literacy in Africa. Their means of communication were severely limited, spoken dialects. What was written of early Black African history was produced by Arabs or by Europeans.

The inescapable fact is this. The policy of our Federal government turns not on better education for the Negro but upon racial amalgamation or absorption of the Negro by the White.

This policy is the crowning insult—to the

Negro. It holds that he cannot go it alone, that he cannot compete successfully.

The "Chocolate Colored Compromise" liberals speak of so glibly, if effectuated, would lead to another Brazil with its incredible slums, chaos, and lack of true progress. The news media, especially TV, represents Negroes in social situations with Whites usually in a token fashion. Such Blacks are in fact highly-selected, light-skinned Negroes. Rarely are they African blacks and these are worked into a scene with no purpose other than to have them there. Every effort is exerted to make such artificial and obviously staged activities seem natural and usual. They fool no one—least of all the Negroes.

For all such artificialities, racial integration in the U.S.A. is an impractical dream. It is not desired by either White or Black. If it were, racial amalgamation would already have been achieved.

Sir Arthur Keith, eminent British anthropologist of a generation ago, believed that races have a natural antipathy to one another which prevents extensive commingling. Instinct is out of fashion today as an exploratory concept but one doesn't have to accept instinct to agree with Sir Arthur. Youngsters of one race are so strongly conditioned to members of their own kind they quite often find members of another race unattractive if not downright repulsive.

An interesting observation on so-called integration comes from an unusual source, namely, from W. H. Ferry, vice president of the left-wing Fund for the Republic. Ferry is quoted in the *Liberator Magazine*: "The United States is a White Man's country conducted by White customs and laws for White purposes. . . . Integration in the U.S. is a sentimental not a doctrinal idea. Racial integration in the U.S. is impossible. If we in Whitetown had ever really wanted integration we would have rushed to achieve it. Finally, we shall have to learn how to run a separated society. Since we cannot have integration we must have something".

Ferry's observations come very close to recognizing the ineradicable nature of racial differences.

Even the Supreme Court is unknowingly a supporter of the genetic theory of race differences—though it probably does not intend to be. In the desegregation decision of 1954, the court ruled that regardless of teacher training and adequate school facilities, Negro children could not get a decent education by the sheer fact of being separated from White children. In fact, the Court said that separate education was "inherently inferior."

Besides being a first-magnitude blooper in logic, this statement is a cruel insult to the Negro (no White children, "inherently-inferior" education) and is a racist decision in the correct meaning of the term. Apparently, the justices believed—at least, what they said—is that a Negro child cannot learn as well as he might unless he is in class with White children, from whom presumably he will absorb wisdom otherwise unobtainable.

#### RECOMMENDATIONS

In the present state of chaos in our public schools, a new and drastic approach is certainly to be recommended. Environmental theory has wrought havoc; why not try a "new" set of premises in terms of genetic theory? Suggestions are as follows:

1. Institute separate and equally-well-equipped schools for Blacks and Whites, wherever feasible. This would clearly not be workable, nor would it be necessary in Vermont, say, or the Dakotas where there are few Negroes, but it would be workable in Alabama.

Let the Blacks run their own schools; let them appoint principals and teachers, set up courses of study and conduct programs of their own choice. Then get the Federal government completely out of the field of race

relations because the element of coercion, the essence of government, is the cause of most of the damage.

Many Blacks—probably a large majority—would welcome such a program if it were properly presented. When the Negro goes to a school as well equipped as that of his White neighbor, when teachers are of his own race and when the athletes and societies are from his own group, he may well develop that pride of race about which so much is said and so little done. Left alone, "consciousness of kind" will lead a Black or White to seek the company of his own race.

2. Separate facilities would prevent the sort of divisive occurrences that have been recently reported from various places: Demand for more books about Blacks; about Black (as opposed to American) history; "soul" food; Black teachers, and the like. One Negro girl, grown antagonistic because of classroom integration, refused to be treated by a White physician and demanded, instead, a Black one. Such instances would not occur if Blacks (as well as Whites) were allowed to govern sensibly their own affairs.

3. Under this plan, of course, there would be an immediate abolition of busing as a school problem, as well as the idiotic "racial quotas" which must be revised almost as soon as set up. No other racial or national group has demanded quotas—in fact, they have abhorred quotas. Busing school children to achieve the "proper mix" is as asinine as it is useless.

4. Trends toward a return to separate-but-equal are appearing with an increasing regularity. Government-inspired loans that are being made to encourage Negro businessmen to set up hotels, restaurants, stores, etc., are evidences of this fact. They, naturally, tend to be established in Black neighborhoods. Most Blacks, understandably, do not prefer living among Whites (unless goaded or bribed), just as most Black children prefer Negro schools unless induced to attend a White school.

A growing number of Negroes, in a position of leadership, have come close (and are coming closer) to the acceptance of this reality. Roy Innis, National Director of The Congress of Racial Equality, and himself a Negro, has said: "Neither (the Republican nor the Democratic) administration has really dealt with the fundamental issues affecting the Black community: the institutions, the need for a basic restructuring of organizations and the transfer of management and control from people outside the Black communities to the people inside those communities."

That, in a word, is separateness. The sooner we let the Negro break away from paternalism and stand on his own feet, the happier and more peaceful the whole country. The alternative is chaos.

Mr. GROSS. Mr. Chairman, this bill calls for the spending of \$4.8 billion in the next fiscal year and that is an increase of more than \$280 million over the spending for the same purposes this year. This is unacceptable at a time when the Federal debt has crossed the \$400 billion mark and there will be a deficit of some \$20 billion this year and a far greater deficit next year.

One of the most unacceptable, in fact, reprehensible provisions of this bill is the \$600 million for so-called impacted school aid. That is an increase of \$56 million over spending for the same purpose this year and no less than \$167 million above the President's budget.

Impacted school aid is one of the most abused programs operated and financed by the Federal Government. It filches the pockets of taxpayers in the Third Congressional District of Iowa to pay for

the costs of educating children in such areas as Montgomery County, Md., which is conceded to be the wealthiest county in this country. There is no more reason for handing out millions of dollars to this county and similarly located counties in Virginia than there is in sending impacted aid to schools on the moon.

Instead of an increase in spending for this purpose, common sense, decency, equity, and financial responsibility dictated a drastic cut in these funds.

Since these and other cuts were not forthcoming, and in view of the desperate financial plight of this Government, I have no choice but to vote against the bill.

Mr. RARICK. Mr. Chairman, we are today considering H.R. 7016, a bill making appropriations for the Office of Education and related agencies and for other purposes. The debates and appeals in support of the bill all relate to the appeal for more Federal funds to improve educational facilities and to guarantee every American child a good education.

Without even touching on the constitutionality of Federal control of education or the shambles that public education under such control now finds itself in in my area of the country, I do think it is safe to call to the Members' attention that HEW is involved in other areas than quality education and likewise that this bill includes more than what many of us have come to accept under the definition of education.

Under title 2, for example, is an authorization of \$30 million to enable HEW to make payment to the Corporation for Public Broadcasting. I do not recall having received a single letter from any of my constituents that they could not exist without Sesame Street and similar psychological educational television programs which are or at least border on brainwashing of our American children. Likewise, I have heard many complaints against such educational television giants as Pacifica Corporation, which according to Barron's magazine of last month, was awaiting approval of several of its licenses until it received HEW funding for its facilities. Few, if any, who have ever seen the Pacifica exhibitions would classify its programs as educational unless one believes in the bizarre, the immoral, and the extreme antithesis of everything that is accepted as good, decent, and American.

Without mentioning the \$3 million authorized for educational activities overseas, which would be paid for by U.S. currency which our benevolence prohibits us from regaining, I do think that the Members should all be aware that this afternoon's paper carries a most unusual report of activities of HEW employees in HEW buildings. In short, the Office of Education is showing anti-American war films produced by the Vietcong and its political arm, the National Liberation Front, and in the Health, Education, and Welfare Department auditorium and other rooms of the Department. Since the Vietcong are the Communist military terrorists who are and have been killing Americans in South Vietnam as well as our South Vietnam allies, it is extremely difficult to

understand how or why any Member of this body could understandably support this bill, at least until such time as the HEW people police themselves to act like Americans, even if some are not. Showing of the enemy's war films to our educators who are responsible for the textbooks, the curriculum and supervision of our Nation's schools hardly seems like an educational function which should be supported by the U.S. taxpayers.

Then too, approval of this bill can but be considered an approval of the past record of deterioration in education by continuing such HEW-endorsed activities as sensitivity training, race relations, and socialistic mental conditioning.

While many are talking about the good to come from this bill, I see but the pernicious effects of the past and more of the same.

I cannot be a party to funding such a movement and must cast my people's vote "no."

I insert a news clipping:

#### SHOWINGS SET OF VIET CONG FILMS AT HEW

A series of anti-American war films produced by the Viet Cong and its political arm, the National Liberation Front, will be shown to employees of the Department of Health, Education and Welfare starting tomorrow.

The programs are sponsored by the HEW Action Group, department officials said. Showings will be in the department auditorium and other rooms.

The program of films is entitled the "Indochinese Film Festival." Titles are, "The People's War," showing North Vietnam under war conditions; "Time Is Running Out" and "Struggle for Life."

The series also will feature a talk by Rennie Davis, one of the defendants in the Chicago Seven conspiracy trial and a leader in the anti-war movement.

Flyers announcing the film series were distributed to HEW employees as they arrived for work today.

The CHAIRMAN. The Clerk will read. The Clerk concluded the reading of the bill.

#### PERSONAL ANNOUNCEMENT

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

Mr. Chairman, I merely wish to state that I was unavoidably detained and missed the last teller vote on the deletion of the Whitten amendment, rollcall No. 53. Had I been present, I would have voted "aye."

The CHAIRMAN. The RECORD will show the gentleman's statement.

Mr. FLOOD. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HOLIFIELD, 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. 7016), making appropriations for the Office of Education and related agencies, for the fiscal year ending June 30, 1972, and for other purposes, had directed him to report the bill back to the House with an amendment, with

the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. FLOOD. Mr. Speaker, I move the previous question on the bill and on the amendment thereto to final passage.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

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

Mr. FLOOD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 355, nays 7, not voting 70, as follows:

[Roll No. 54]  
YEAS—355

|                |                 |                 |
|----------------|-----------------|-----------------|
| Abbutt         | Cleveland       | Griffin         |
| Abernethy      | Collier         | Gubser          |
| Abourezk       | Collins, Tex.   | Gude            |
| Abzug          | Conable         | Hagan           |
| Adams          | Conte           | Halpern         |
| Addabbo        | Conyers         | Hamilton        |
| Anderson,      | Corbett         | Hammer-         |
| Calif.         | Cotter          | schmidt         |
| Anderson,      | Coughlin        | Hanley          |
| Tenn.          | Culver          | Harrington      |
| Andrews, Ala.  | Daniel, Va.     | Harsha          |
| Andrews,       | Daniels, N.J.   | Hastings        |
| N. Dak.        | Davis, Ga.      | Hathaway        |
| Annunzio       | Davis, Wis.     | Hawkins         |
| Archer         | de la Garza     | Hechler, W. Va. |
| Arends         | Dellenback      | Heckler, Mass.  |
| Ashley         | Dellums         | Helstoski       |
| Aspin          | Denholm         | Henderson       |
| Aspinall       | Dennis          | Hicks, Wash.    |
| Badillo        | Dent            | Hillis          |
| Baring         | Derwinski       | Hogan           |
| Barrett        | Devine          | Holifield       |
| Begich         | Dickinson       | Horton          |
| Belcher        | Diggs           | Hosmer          |
| Bennett        | Dingell         | Howard          |
| Bergland       | Donohue         | Hull            |
| Betts          | Dorn            | Hungate         |
| Bevill         | Dow             | Hunt            |
| Biaggi         | Downing         | Hutchinson      |
| Blaster        | Drinan          | Ichord          |
| Bingham        | Dulski          | Jacobs          |
| Blackburn      | Duncan          | Jarman          |
| Blatnik        | duPont          | Johnson, Calif. |
| Boggs          | Eckhardt        | Johnson, Pa.    |
| Boland         | Edmondson       | Jonas           |
| Bolling        | Edwards, Ala.   | Jones, N.C.     |
| Bow            | Ellberg         | Karth           |
| Brademas       | Erlenborn       | Kastenmeier     |
| Brasco         | Eshleman        | Kazen           |
| Brinkley       | Evans, Colo.    | Keating         |
| Brooks         | Evins, Tenn.    | Kee             |
| Broomfield     | Fascell         | Keith           |
| Brotzman       | Findley         | Kemp            |
| Brown, Ohio    | Fisher          | King            |
| Broyhill, N.C. | Flood           | Kluczynski      |
| Buchanan       | Flowers         | Koch            |
| Burke, Fla.    | Foley           | Kuykendall      |
| Burke, Mass.   | Ford, Gerald R. | Kyl             |
| Burleson, Tex. | Ford,           | Kyros           |
| Burlison, Mo.  | William D.      | Landgrebe       |
| Burton         | Forsythe        | Landrum         |
| Byrne, Pa.     | Fountain        | Latta           |
| Byrnes, Wis.   | Fraser          | Leggett         |
| Byron          | Frelinghuysen   | Lennon          |
| Caffery        | Frenzel         | Lent            |
| Camp           | Frey            | Link            |
| Carey, N.Y.    | Fulton, Pa.     | Lloyd           |
| Carney         | Fulton, Tenn.   | Lujan           |
| Carter         | Fuqua           | McClory         |
| Casey, Tex.    | Galifianakis    | McCollister     |
| Cederberg      | Gallagher       | McCormack       |
| Celler         | Garmatz         | McDade          |
| Chamberlain    | Gaydos          | McDonald,       |
| Chappell       | Gettys          | Mich.           |
| Chisholm       | Glamo           | McEwen          |
| Clancy         | Gibbons         | McFall          |
| Clark          | Goldwater       | McKevitt        |
| Clausen,       | Gonzalez        | McKinney        |
| Don H.         | Goodling        | McMillan        |
| Clawson, Del   | Grasso          | Madden          |

|                 |               |
|-----------------|---------------|
| Mahon           | Purcell       |
| Mailliard       | Quie          |
| Mann            | Quillen       |
| Martin          | Rallsback     |
| Mathias, Calif. | Randall       |
| Mathis, Ga.     | Rangel        |
| Mayne           | Rees          |
| Mazzoli         | Reid, Ill.    |
| Meeds           | Reid, N.Y.    |
| Melcher         | Reuss         |
| Metcalf         | Rhodes        |
| Michel          | Riegle        |
| Mikva           | Roberts       |
| Miller, Calif.  | Robinson, Va. |
| Miller, Ohio    | Robison, N.Y. |
| Minish          | Rodino        |
| Mink            | Rogers        |
| Mitchell        | Roncalio      |
| Mizell          | Rooney, N.Y.  |
| Mollohan        | Rooney, Pa.   |
| Monagan         | Rosenthal     |
| Montgomery      | Rostenkowski  |
| Moorhead        | Roush         |
| Morgan          | Roy           |
| Morse           | Roybal        |
| Mosher          | Runnels       |
| Murphy, N.Y.    | Ruppel        |
| Myers           | Ruth          |
| Natcher         | Ryan          |
| Nedzi           | St Germain    |
| Nichols         | Sandman       |
| Nix             | Satterfield   |
| Obey            | Scherle       |
| O'Konski        | Scheuer       |
| O'Neill         | Schneebeli    |
| Passman         | Schwengel     |
| Patman          | Scott         |
| Patten          | Sebelius      |
| Pepper          | Shoup         |
| Perkins         | Shriver       |
| Pettis          | Sikes         |
| Peyster         | Sisk          |
| Pickle          | Slack         |
| Pike            | Smith, Calif. |
| Pirnie          | Smith, Iowa   |
| Poff            | Smith, N.Y.   |
| Powell          | Snyder        |
| Preyer, N.C.    | Spence        |
| Price, Ill.     | Springer      |
| Price, Tex.     | Stafford      |
| Pryor, Ark.     | Staggers      |
| Pucinski        |               |

|                |            |
|----------------|------------|
| Stanton,       | J. William |
| Stanton,       | Stanton,   |
| James V.       |            |
| Steed          |            |
| Steiger, Wis.  |            |
| Stephens       |            |
| Stokes         |            |
| Stratton       |            |
| Stubblefield   |            |
| Stuckey        |            |
| Sullivan       |            |
| Symington      |            |
| Taylor         |            |
| Teague, Calif. |            |
| Teague, Tex.   |            |
| Terry          |            |
| Thompson, Ga.  |            |
| Thomson, Wis.  |            |
| Thone          |            |
| Tiernan        |            |
| Udall          |            |
| Vander Jagt    |            |
| Vanik          |            |
| Veysey         |            |
| Vigorito       |            |
| Wampler        |            |
| Ware           |            |
| Watts          |            |
| Whalen         |            |
| Whalley        |            |
| White          |            |
| Whitehurst     |            |
| Whitten        |            |
| Widnall        |            |
| Wiggins        |            |
| Williams       |            |
| Wilson, Bob    |            |
| Wilson,        | Charles H. |
| Winn           |            |
| Wolf           |            |
| Wright         |            |
| Wyatt          |            |
| Wydler         |            |
| Wyllie         |            |
| Wyman          |            |
| Yates          |            |
| Young, Fla.    |            |
| Young, Tex.    |            |
| Zablocki       |            |
| Zion           |            |

Mr. Edwards of California with Mr. Pelly.  
Mr. Flynt with Mr. Brophy of Virginia.  
Mr. Moss with Mr. Esch.  
Mr. Matsunaga with Mr. McClure.  
Mr. Van Deerlin with Mr. Talcott.  
Mr. Shipley with Mr. Harvey.  
Mrs. Hicks of Massachusetts with Mrs. Dwyer.  
Mr. Cabell with Mr. Zwach.  
Mr. Corman with Mr. Steele.  
Mr. Delaney with Mr. Grover.  
Mr. Gray with Mr. Brown of Michigan.  
Mr. Green of Pennsylvania with Mr. Steiger of Arizona.  
Mr. Macdonald of Massachusetts with Mr. Hansen of Idaho.  
Mr. Jones of Tennessee with Mr. Jones of Alabama.  
Mr. Yatron with Mr. Collins of Illinois.  
Mr. Clay with Mr. Podell.  
Mrs. Green of Oregon with Mr. Haley.  
Mrs. Griffiths with Mr. Sarbanes.  
Mr. Roe with Mr. Murphy of Illinois.  
Mr. O'Hara with Mr. Long of Louisiana.  
Mr. Waldie with Mrs. Hansen of Washington.  
Mr. Colmer with Mr. Long of Maryland.  
Mr. Dowdy with Mr. Edwards of Louisiana.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. FLOOD. Mr. Speaker, I have three unanimous-consent requests.

First, Mr. Speaker, I ask unanimous consent that I may be permitted to revise and extend my remarks that were made on the bill that has just been passed, and to include extraneous material and certain charts and statistics.

Second, Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed, and to include extraneous material.

Third, Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the so-called Hathaway amendment, in the Committee of the Whole today.

The SPEAKER. Is there objection to the several requests of the gentleman from Pennsylvania?

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. BEVILL. Mr. Speaker, I was unavoidably delayed in getting to the floor of the House for the vote on rollcall No. 52, known as the Hathaway amendment. Had I been present, I would have voted for the Hathaway amendment.

LEGISLATIVE PROGRAM

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. GERALD R. FORD. Mr. Speaker, I have requested this time for the purpose of asking the distinguished majority whip the program for the rest of this week, if there is any so scheduled, and for the week following the Easter recess.

Mr. O'NEILL. There are two messages from the President which will be pre-

Ashbrook  
Crane  
Gross

Hall  
Rarick  
Saylor

Schmitz

NOT VOTING—70

|                 |               |                |
|-----------------|---------------|----------------|
| Alexander       | Green, Pa.    | Moss           |
| Anderson, Ill.  | Griffiths     | Murphy, Ill.   |
| Baker           | Grover        | Nelsen         |
| Bell            | Haley         | O'Hara         |
| Blanton         | Hanna         | Pelly          |
| Bray            | Hansen, Idaho | Poage          |
| Brown, Mich.    | Hansen, Wash. | Podell         |
| Broyhill, Va.   | Harvey        | Roe            |
| Cabell          | Hays          | Rousselot      |
| Clay            | Hébert        | Sarbanes       |
| Collins, Ill.   | Hicks, Mass.  | Seiberling     |
| Colmer          | Jones, Ala.   | Shipley        |
| Corman          | Jones, Tenn.  | Skubitz        |
| Danielson       | Long, La.     | Steele         |
| Delaney         | Long, Md.     | Steiger, Ariz. |
| Dowdy           | McCloskey     | Talcott        |
| Dwyer           | McCulloch     | Thompson, N.J. |
| Edwards, Calif. | McKay         | Ullman         |
| Edwards, La.    | MacDonald,    | Van Deerlin    |
| Esch            | Mass.         | Waggonner      |
| Fish            | Matsunaga     | Waldie         |
| Flynt           | Mills         | Yatron         |
| Gray            | Minshall      | Zwach          |
| Green, Ore.     |               |                |

So the bill was passed.  
The Clerk announced the following pairs:  
On this vote:  
Mr. Bell for, with Mr. Rousselot against.  
Until further notice:  
Mr. Thompson of New Jersey with Mr. Anderson of Illinois.  
Mr. Hays with Mr. Minshall.  
Mr. Hébert with Mr. Bray.  
Mr. McKay with Mr. Baker.  
Mr. Seiberling with Mr. McCloskey.  
Mr. Waggonner with Mr. Skubitz.  
Mr. Alexander with Mr. McCulloch.  
Mr. Blanton with Mr. Nelsen.  
Mr. Danielson with Mr. Fish.

sented to the House, and there is no further business other than that.

The House will adjourn to meet on Monday, April 19.

The legislative program for the week of April 19, 1971, is as follows:

On Monday, there will be a call of the Consent Calendar.

Two bills will be taken up under suspension of the rules:

H.R. 1534. Amend sections 320 and 321 of the Immigration and Nationality Act.

H.R. 1535. Amend section 312 of the Immigration and Nationality Act.

Tuesday is Pan American Day.

The Private Calendar will be called.

H.R. 5352. Supplemental Maritime Authorization for fiscal year 1971 will be considered under an open rule with 1 hour of debate, on which a rule has been granted.

H.R. 4724. Maritime Authorization for 1972 will be considered under an open rule with 1 hour of debate, and the rule has been granted.

On Wednesday:

H.R. 5376. Accelerated Public Works Act under an open rule with 2 hours of debate, and the rule has been granted.

For Thursday and the balance of the week, the program is as follows:

H. Res. 28. To provide funds for the Committee on the District of Columbia.

H. Res. 282. To provide pay comparability adjustments for certain House employees whose pay rates are specifically fixed by House resolutions.

H. Res. 288. To provide funds for the Foreign Affairs Committee.

H. Res. 320. Transferring jurisdiction of the Subcommittee on Foundations of the Select Committee on Small Business to the Committee on Banking and Currency.

H.R. 6444. Railroad retirement annuity increase. This is subject to a rule being granted.

Conference reports may be brought up at any time and any further program will be announced later.

#### DISPENSING WITH BUSINESS IN ORDER UNDER CALENDAR WEDNESDAY RULE ON WEDNESDAY, APRIL 21

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday, April 21.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### DISTRICT OF COLUMBIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 92-84)

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee on the District of Columbia and ordered to be printed:

*To the Congress of the United States:*

Too often in the time since President Washington met with Pierre L'Enfant in Georgetown to review plans for the new District of Columbia—180 years ago last month—the Federal responsibility to the

Federal District has not been honored as it should be. Too often Presidents and Congresses have overlooked the opportunity to validate their designs for the Nation by realizing them here in the District of Columbia. But in recent years we have begun to write a new record, one in which the Federal Government can take pride, one which is lifting the city of Washington from the status of a stepchild into the ranks of the firstborn among America's great cities.

The single unifying motive behind all of the diverse proposals and initiatives I am putting forward in this message today is to give Washingtonians, as American citizens and Washington, as the Nation's Capital the very best in the performance of the responsibilities of government—as they deserve. Let the New American Revolution which we seek for all Americans begin here, in the Nation's Capital—and now, in 1971.

#### TOWARD SELF-GOVERNMENT AND FULL CITIZENSHIP

If we are to bring the New American Revolution to the people of Washington, we must start by securing for them the benefits of the original American Revolution, in which they still do not fully share. The fundamental rights for which George Washington's armies fought—men's rights to be represented in the legislature that taxes them and to hold consent over the government that rules them—can no longer be denied to the city that bears Washington's name.

Reorganization Plan No. 3 of 1967, which broke almost a century of stagnation in the progress of District government and set up a new system with a Mayor-Commissioner and a City Council, represented an important first step toward making Washingtonians full citizens of their own city. I am in full support of the letter and the spirit of that reorganization, and my administration will continue to work to strengthen the city government's hand in managing its own affairs more effectively.

One of my most pressing goals for this Nation is to place local functions under local control, and to equip local governments with the authority and the resources they need in order to serve their communities well. To this end I solicit the cooperation of the Congress in transferring many of the routine municipal functions it now must exercise itself, into the hands of the District government. Several such functions whose transfer is requested in the District's 1971 legislative program include the setting of liquor license fees, the execution of long term lease agreements, and the issuance of no-cost driver's permits for use by District police officers on duty. It is clearly time to stop tying the city's hands, and squandering the Congress' valuable time, by holding on Capitol Hill minor powers that belong in the District Building.

Further managerial reforms will be recommended by the Commission on the Organization of the Government of the District of Columbia (Nelsen Commission) created last year and charged (in legislation now pending) to report its findings to the Congress in March 1972. Such recommendations are needed—but there is another dimension of need as

well. District government must become not only more efficient but also more democratic.

Therefore, we will shortly submit legislation adding six months to the life of the Nelsen Commission and authorizing it to prepare a second report stating its views on the subject of expanded self-government for the District of Columbia. This would be a logical use of the expertise assembled on the Commission, and a natural extension of its area of study. From the first report on improving government for the people, it would move to a second report on shaping government by the people.

Evolving hand in hand with the movement toward full popular participation in District government is the steady progress toward giving the people of Washington full participation in the Federal Government. They have now voted in two Presidential elections, and now they have elected their first Congressional delegate in a century. I was proud to personally congratulate the Reverend Walter Fauntroy immediately after his election to this important post two weeks ago. Establishment of the non-voting House delegate position—by legislation which my administration introduced and advocated—gives Washington a voice in the Congress. But it is only an interim step, for the city should be entitled to a vote there as well. I reaffirm my strong support for a Constitutional amendment granting to the District at least one full voting representative in the House of Representatives, plus such additional representation in one or both houses as the Congress may approve.

There is a wide range of other fronts on which local government in the Nation's Capital could be strengthened and its responsiveness to the people increased. Electoral reform is one, and there are many others. This administration will continue to work receptively and cooperatively in this area with the Congress and with all interested groups in the District of Columbia.

#### TAKING THE LEAD IN CRIME REDUCTION

Forms of government are important—yet they can mean little in a city whose people are ruled by fear for their personal safety and the security of their property. One of my administration's first priorities in the District of Columbia has been to move the city from its place near the top of the list in the incidence and increase of crime, into a position of leadership in crime reduction. Only when this is done can we move toward healthy development for Washington and a fuller life for its people. And now, it is being done.

The District's crime rate declined 5.2 percent from 1969 to 1970, reversing the rapid increases of the late 1960's. Thus people who live in the District, people who work here, and our millions of visitors from around the world, are safer on the city's streets. Equally important, the decline in the District's crime rate, together with crime decreases in 21 other major cities last year, demonstrates that urban crime throughout the Nation can be successfully challenged through decisive action.

Action taken to combat crime in Washington has included:

—An increase in the Metropolitan Police Force from 4,100 to 5,100 officers, with a greater percentage of the force moved into the law enforcement front lines by using civilian personnel to perform many routine functions.

—Landmark legislation which modernized the D.C. court system and provided law enforcement officers with new criminal procedures.

—A substantial narcotics treatment and enforcement program, to rehabilitate narcotics victims and to reduce the criminal activity which supports drug addiction.

—A program of experimental, high-intensity street lighting in selected areas of the city.

—An increase in minority representation on the police force from 28 percent to 37 percent—the highest in the Nation—through a determined community recruiting program.

—A language training program to improve police service in Spanish-speaking neighborhoods.

—Creation of the Executive Protective Service to enhance protection of foreign embassies and free D.C. police for regular civil assignments.

In addition, an increasingly metropolitan perspective is developing among law enforcement agencies in and around Washington. The administration will help to reinforce this trend toward coordinated action, so that crime reductions within the District of Columbia are not rendered hollow by a growing crime problem in the suburbs. The first logical place to begin applying some of the lessons we have learned about combating crime in the District is right in our neighboring communities.

Looking to the future, we will continue to press the combination of programs that has proved so successful over the past two years. In order to strengthen the D.C. Narcotics Treatment Administration—one of the keystones of the District's success in crime reduction, and a national leader in the fight against hard drug abuse—I have requested the Attorney General to provide the program with a total of \$3 million in grant assistance during calendar year 1971 from the Law Enforcement Assistance Administration. This will enable the program to reach more of the city's addicts and to expand the job counseling and other services it offers them.

My 1972 budget requests, together with those of the District government, provide for:

—Full-year funding for Washington's 35 new U.S. Attorneys and 13 new U.S. District judgeships, which were approved by the Congress in a 1971 supplemental appropriation.

—Upgrading the efforts of the Executive Protective Service in protecting the foreign embassies in the District.

—Maintenance of police strength at 5,100 men with additional training to improve force effectiveness.

—Implementation of the new court reform legislation.

—Improved care and custody for the growing institutional population, and

expansion of the community-based correctional program.

I urge the Congress to contribute to the momentum of our winning battle against crime in the Nation's Capital by approving these requests.

#### HELPING THE DISTRICT HELP ITSELF

Central to my proposals for revitalizing State and local government across this country in the years ahead is the recognition that all the political authority a community may possess is only paper power if it lacks the resources—the dollars—it needs to deliver services and amenities to its people. Our program for some \$16 billion in general and special revenue sharing—the last portion of which I transmitted to the Congress yesterday—is essentially an effort to give the cities and States the tools they need to do their jobs.

"Revenue sharing" of a sort has been a way of life in the District of Columbia for many years, as it properly should be in view of the Federal presence in the District. My budget requests for fiscal year 1972 call for Federal payments of \$153 million to the District government—an increase of more than 20 percent over the currently authorized level. And General Revenue Sharing, when enacted, would bring the city an additional \$23 million share during the first year. Welfare reform, besides extending new dignity and tangible benefits to the District's welfare recipients, would lead to further large savings for the city government.

Beyond the fiscal relief which these national reform proposals would afford Washington, there are several areas where the Federal interest in the District warrants special financial support. These include the metropolitan rapid rail mass transit system (METRO); improved water quality facilities and other public works construction projects; and public higher education.

#### FEDERAL GUARANTEES FOR METRO REVENUE BONDS

Excavations for METRO's subway tunnels and stations already dot the District. When it goes into operation at the beginning of 1974 it will be the Nation's most modern mass transit system. It should do much to unify the metropolitan Washington community, to improve the quality of life by reducing congestion and pollution in the area, and to stimulate the metropolitan economy by the increased labor mobility it will provide. I am confident that disagreements over implementation of the 1968 and 1970 Highway Acts—now tying up needed METRO funds—can be resolved, and I have urged all of the parties involved to give priority to meeting these legislative obligations.

To remove another major obstacle now confronting METRO, I am today proposing that the Federal Government guarantee the revenue bonds of the Washington Metropolitan Area Transit Authority so as to expedite their sale. Severe inflation in the construction industry has combined with unexpected delays in the METRO development timetable to create a \$450 million gap in the financial plan originally advanced by WMATA, and to impair the marketability of the METRO revenue bonds. By

guaranteeing these securities, we can help WMATA sell all its originally planned bonds so that METRO construction can go forward at once. The bonds would become taxable as condition of the guarantee, providing a revenue flowback to the Treasury from the interest paid on them. This flowback in turn would permit the Federal Government to cover 25 percent of the Authority's anticipated interest costs on the bonds, enabling the issuance of \$300 million in additional bonds. Federal assistance would thus help WMATA close two-thirds of its \$450 million revenue gap, in keeping with the two-thirds Federal and one-third local cost sharing arrangement that has prevailed for METRO funding in general.

#### BONDING FOR CLEAN WATER AND OTHER PUBLIC WORKS

Washington's efforts to improve its public services and to enhance the urban environment are doubly deserving of Federal support—not only for the sake of the city and the people themselves, but for the sake of the whole Nation as well. This applies to the city's hopes of showing the Nation the way in urban mass transit, and it applies equally to the ecological and esthetic imperatives of purifying our waters.

The Potomac, the great river that George Washington loved and that was the principal influence on his choice of a site for the Federal District, must be restored as an asset to the entire region. The Congress last year indicated its strong interest in this matter by ordering a thorough study of the water resources and waste treatment problems of the Washington metropolitan area. The Environmental Protection Agency has completed that study and it is now being reviewed within the administration.

A vital factor in whatever strategy we adopt will be the regional water pollution control plant at Blue Plains. Work is now underway to increase the capacity of this plant in response to population growth in the metropolitan area, and to upgrade its treatment level so it can meet required water quality standards. My 1971 environmental proposals and my FY 1972 budget provide for continued support of this improvement project by the Environmental Protection Agency. I will shortly submit to the Congress a District FY 1971 supplemental appropriation request to permit the District of Columbia to maintain its share of support for the work.

The money which the District government is required to spend to meet its share of the Blue Plains improvement costs is raised by direct borrowing from the United States Treasury—the standard means of financing all District public works and capital outlays. However, the borrowing authority of the District government under present law is insufficient to meet the Blue Plains needs in FY 1972 and subsequent years. Rather than merely seeking an ad hoc extension of this borrowing authority, I am renewing my proposal that all capital financing for the District of Columbia be shifted from direct Treasury loans to municipal bonds. The 91st Congress did not enact this needed reform, and I have now placed it before the 92nd Congress. The features

of this bonding proposal parallel those I have just described for METRO bonds: D.C. capital bonds would be federally guaranteed and federally taxable, with a Federal subsidy covering approximately 25 percent of interest costs. Under this arrangement the District of Columbia would gain most of the advantages of ordinary municipal bonds while retaining an extra degree of Federal support in keeping with the unique Federal interest in District affairs. Blue Plains is only the most urgent of many public works projects which could progress more quickly and efficiently as a result.

Extending this type of bonding authority to the District government is exactly in line with a cardinal principle of the New American Revolution: that the way to help local government become more responsible is to entrust it with more responsibility.

#### ASSISTANCE FOR PUBLIC HIGHER EDUCATION

A city can have no obligation higher, and no investment more worthy, than the development of its human resources. The Nation can be proud of the way this priority is being recognized in the District of Columbia. The Washington Technical Institute and the Federal City College, both created in recent years, are helping thousands of young Washingtonians expand their opportunities by developing their potential beyond the high school level. The work that these institutions have done under a variety of handicaps and hardships is remarkable, and this administration is committed to helping the District eliminate their handicaps as quickly as possible. For this reason, my proposal for District of Columbia public works bonding makes a special provision to assist the construction of permanent campuses for the Institute and the College. It would shift the financing of these projects from Treasury loans to direct Federal grant support.

This approach would simplify and speed the effort to give Washington Technical Institute and Federal City College the kind of physical facilities they deserve to match the levels of dedication and performance they have shown from the first. It would also remove a substantial burden on the future public debt of the District Government. Purely from a business standpoint, these grants can be regarded as a sound investment in upgrading the local work force—with the Federal Government, as Washington's major employer, certain to be one of the principal beneficiaries.

It has seemed particularly desirable that the Washington Technical Institute be relocated from its temporary quarters in the southern portion of the old National Bureau of Standards site in Northwest Washington. Since 1968 this land has been earmarked by the Congress for construction of an International Center which would house foreign chanceries and the headquarters of the Organization of American States. Many countries have been unable to find adequate quarters for their chanceries here in Washington, and the Congress by this action recognized the importance of providing suitable space for them. At the

same time, it is important that the Washington Technical Institute be moved with minimum interruption of its outstanding educational programs.

After a thorough review of alternative sites for the Institute and the International Center, I have accepted the recommendations of the National Capital Planning Commission, other affected Federal agencies, and the Washington Technical Institute that the two activities share the old Bureau of Standards site. The International Center can occupy the south end—the present Institute grounds—while the northern portion of the site can become an excellent permanent campus for the Institute. Planning is proceeding accordingly. During construction of its new buildings, the Institute will be housed in suitably adapted existing buildings on the north side of the site.

I will shortly transmit budget requests for this move and for the relocation of Federal agency activities now on the site. In the coming years, both the Institute and the International Center will be important new landmarks on upper Connecticut Avenue, symbolizing side by side the Capital City's dedication to human development and to international understanding.

Planning for the permanent campus of Federal City College has not progressed as quickly as that for the Washington Technical Institute site, and so I will not discuss the various alternatives and possibilities at length here. I would stress, however, my firm commitment to assisting the College not only through construction grants but also through active interest in the process of translating those dollars into land, classrooms, and other facilities which can begin benefiting Federal City's students in the near future.

#### A DEVELOPMENT BANK FOR THE DISTRICT OF COLUMBIA

All of the areas in which I have proposed that the Federal Government give special attention to helping the District government help itself—mass transit, clean water, and human resources development—bear directly on the support of a vigorous, expanding economy in the Nation's Capital. They would help to create a climate that favors economic growth. I now urge the Congress to assist business and industry in taking advantage of that climate by establishing a Development Bank for the District of Columbia, as proposed in legislation which the administration is submitting. Such a Development Bank, forging a new partnership among Federal officials, local officials, and representatives of the private sector, would serve as an action center in assembling the necessary combinations of capital and management skills so that economic development opportunities do not go begging as they have sometimes done in the past.

Washington has been called, not too kindly but with a measure of truth, a "company town." Inevitably the Federal Government will remain a dominant factor in the metropolitan economy, but one-industry communities all over the Nation are seeing the wisdom of diversifying, and often it is the major employer in the

community which takes the lead in broadening the economic base to create new jobs and a wider prosperity. Certainly that should be the case in Washington, and can be if we move to establish the Development Bank.

#### PREPARING FOR THE BICENTENNIAL

The bicentennial of American independence, now only five years away, is a natural focal point for our hopes and plans of what the Nation and the Nation's Capital can become. Many cities will take part in this great observance as we celebrate our heritage and map our third century that lies ahead. Boston as the cradle of liberty, and Philadelphia as the scene of the bold political strokes leading to independence and union, will both play leading roles. But Washington, truly the child of the American Revolution, will have an especially exciting chance to show the world how that child has come to full maturity.

We must give urgent and continuing attention to enhancing the Nation's Capital as "the city of magnificent distances"—the gracious description a Portuguese diplomat gave it when it was little more than a village in the wilderness. To insure vigorous Federal participation in the work of readying Washington's public buildings, avenues, and open spaces for the bicentennial year, I have asked Robert Kunzig, the General Services Administrator, to serve as my Special Assistant for District Bicentennial Development Projects. I have also resubmitted to the Congress legislation to create a Federal City Bicentennial Development Corp. which would exercise leadership in public and private efforts to realize the development potential of the Pennsylvania Avenue area.

A number of construction projects included in my budget for fiscal year 1972 also point to an attractive new look for Federal Washington by 1976. These include the Smithsonian Institution's plans to build a new National Air and Space Museum on the Mall and a new display area for cultural and technological advances of the past two centuries in the National Museum of History and Technology; the National Sculpture Garden which the National Park Service will build on the Mall; new buildings for the Departments of Labor and Health, Education, and Welfare, and the United States Tax Court; and the James Madison Memorial Library addition to the Library of Congress. I ask the Congress to appropriate the necessary funds for these projects.

As we work to beautify the official face of the city, we will not neglect the task of healing its residential heart. The wounds of anguish inflicted on portions of Washington in the tragic aftermath of Martin Luther King's assassination 3 years ago this week are still far too evident, depressing the lives of residents and scarring their neighborhoods. The riot-torn areas, as well as those suffering from blight and decay, deserve accelerated urban renewal assistance—this the administration is cooperating with local officials to provide. One of my first Executive actions as President was to pledge "full support \* \* \* and \* \* \* the utmost Executive energy" for neigh-

borhood redevelopment efforts in the District of Columbia. A start has been made, but through Federal and local determination we can do still better. We shall.

Georgetown, the District of Columbia's living link to the colonial and revolutionary eras, also merits special attention in the course of our bicentennial preparations. We have come to the point where failure to act immediately on an overall development and preservation plan for the Georgetown waterfront area will mean the loss by default of its unique combination of historical, scenic, and natural values. While many imaginative ideas for such a plan have been advanced over the years, none has been adopted. Now roads and commercial development threaten to change the waterfront forever, piecemeal. I have asked the District government, the National Capital Planning Commission, and the Departments of HUD, Transportation, and Interior to join with private citizens and move ahead at once in developing an overall plan for the Georgetown waterfront. The purpose of the plan will be to insure the preservation of historic buildings, to increase park lands, to save the open vistas of the river and Roosevelt Island, and to provide for the harmonious development of public, commercial, and residential facilities.

#### INTENTIONS FOR THE LIVING CITY

Charles Dickens, visiting the United States in 1842, took issue with the Portuguese diplomat's characterization of Washington. It should be called, he said, the city of magnificent intentions. His novelist's eye missed no detail of the bustling human life of the Capital, and the whole scene suggested to him visions and dreams—social and political as well as architectural—unfulfilled, still striven for.

Dickens' insight remains pointed and valid today. For it is clear that Washington's role as we enter America's third century must be not only that of a political and ceremonial capital, but also that of a living city—a city alive in its own right with three-quarters of a million Americans, the life-center of all these United States. Our intentions for Washington still outreach our achievements, as they may for decades to come. But let us at least be very clear about what those intentions are; let us make them as magnificent as L'Enfant's physical plan for the District; and let us begin moving apace to realize them.

The reality may be long in coming, but the right intention is simple enough to state: Washington should embody the essence of what is best in America. The direction of Federal effort then is plain. Federal effort should contribute wherever possible to making this a city unexcelled in quality of life, urban grace and efficiency, and economic opportunity. Federal effort should follow the principle that since government is Washington's *raison d'être*, we will do the city the greatest credit by making its local government a model and by making the Federal Government that is centered here as effective and democratic as we can.

Washington as a living city, and an

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exemplary one—Washington as the seat of a local and a Federal Government that are truly of the people, by the people, and for the people: I invite the people of the District of Columbia and the Congress of the United States to share in these exciting hopes for the years ahead.

RICHARD NIXON.

THE WHITE HOUSE, April 7, 1971.

#### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION AND THE ENVIRONMENTAL PROTECTION AGENCY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 92-85)

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 Merchant Marine and Fisheries and ordered to be printed with illustrations:

#### To the Congress of the United States:

Creation last year of the National Oceanic and Atmospheric Administration (NOAA) and the Environmental Protection Agency (EPA) has given us the capacity to manage our Federal oceanic, atmospheric and environmental responsibilities with substantially greater effectiveness and efficiency.

The United States' marine science program was marked in 1970 by a number of sound accomplishments and new departures.

Internationally, we worked successfully with other nations to produce a seabed arms control treaty. We proposed development of a treaty governing the exploration and exploitation of seabed resources and submitted a working draft of such a treaty to the United Nations. And we are also joining forces with others in earnest efforts to preserve the quality of the marine environment.

A major step toward more rational use of the oceans was taken in December 1970, when the nations of the North Atlantic Treaty Organization resolved to achieve by 1975, if possible, and by the end of the decade at the latest the elimination of intentional discharges of oil and oily wastes into the oceans. We are earnestly pursuing this worthy objective. It is my hope that the Senate, as part of this effort, will soon give its advice and consent to the international oil spills conventions and amendments which were transmitted last May.

I have also asked the Congress to enact the Ports and Waterways Safety Act, which would increase the Coast Guard's authority to protect against oil spills, and the Wholesome Fish and Fishery Products Act, which would provide for the inspection of fish and fishery products during their harvesting, processing, and transport.

These accomplishments are reported in detail in the annual report of the National Council on Marine Resources and Engineering Development, "Marine Science Affairs," which I am today transmitting to the Congress. During 1970, the Council, which is chaired by the Vice President, has continued to assist me in the development of marine science pol-

icy, the coordination of Federal programs, and the effecting of an orderly transition during the reorganization of Federal agencies in the marine sciences. As the Council now completes its work, we can take pride in the new policies and programs that fulfill the objectives of the Marine Resources and Engineering Development Act. The Council deserves our gratitude for a job well done.

My budget request for fiscal year 1972 provides \$609.1 million for marine science, technology and services—an increase of more than \$70 million over my request of a year ago. These funds would permit NOAA to undertake priority programs of fundamental importance to the Nation's marine science interests; they will permit us to continue the accomplishments of the Sea Grant program; to further our participation in the International Decade of Ocean Exploration; to insure that necessary marine research and development is conducted for national security purposes; and to make certain that marine research and development, generally, continue to make productive contributions to our growing use of the sea.

We have embarked on a strong marine science program for the 1970's. In the year ahead the Federal Government will build on these accomplishments. And we will look to all sectors of the Nation's marine science community—State and local governments, industry and the universities—to contribute to the fullest to the United States' efforts to make better use of the oceans and to provide world leadership on the major ocean issues before the community of nations.

RICHARD NIXON.

THE WHITE HOUSE, April 7, 1971.

#### MANPOWER REVENUE SHARING ACT OF 1971—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 92-86)

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 Education and Labor and ordered to be printed with illustrations:

#### To the Congress of the United States:

In a recent special message to the Congress which forms the first part of this volume, I urged prompt consideration and enactment of a Manpower Revenue Sharing Act of 1971, a long overdue and fundamental reform of the country's manpower programs.

This second Manpower Report of my administration provides factual background for this recommendation. A major feature of the report recounts the strenuous efforts we have made over the past 2 years to coordinate and strengthen the present multiplicity of manpower programs. Nevertheless, they remain much too rigid and narrowly focused to meet differing and changing local needs. Transfer of responsibility for planning and administration to State and local governments is essential if the programs are to become adequately responsive to the problems of local areas and their people.

The report analyzes in depth the critical employment and manpower utilization problems of urban labor markets and of rural areas. Because these problems differ in nature and intensity from State to State and community to community, there is no single, simple national solution. While job opportunities have expanded more in the suburbs, the central cities generally have not lost jobs and most cities have had some employment increase. The problem is that the inner city residents are confronted simultaneously by a number of obstacles—poor education, lack of skill training, bias in hiring practices. Overcoming these multiple, self-reinforcing barriers to employment is the hard challenge to imaginative local leadership in best using shared manpower revenues.

The States face equally challenging human resources utilization problems in our rural areas. Continued decline in farm employment is borne on the wings of ever-increasing farm productivity. Development of employment opportunities in our rural communities is vital, both to improve the quality of life for rural residents and to stem the tide of migration to our already crowded cities.

Another aspect of the labor market developed analytically in this report is the effects on employment of government purchases of goods and services. The shifting "mix" of government buying has far-reaching implications for the pattern of employment offered in the job market. The expected rapid growth in State and local government services over the decade of the 1970's offers real opportunity for improving job prospects for our disadvantaged fellow citizens.

As I said in transmitting last year's Manpower Report, full opportunity for all citizens remains a central goal for this Nation. The present report is concerned with the progress we have already made toward this goal and the distance we still have to travel. The report provides important new information clarifying the obstacles in the way and pointing to the new legislation and other public and private action essential to overcome them.

RICHARD NIXON.

THE WHITE HOUSE, April 7, 1971.

#### FARM FORUM DAY NO. 2 SET FOR MONDAY, MAY 3

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

Mr. MELCHER. Mr. Speaker, a few days ago 80,000 farmers marched in Brussels, demanding that prices paid for their farm commodities be raised. They must have made their point strongly because prices on farm products were raised shortly afterward an average of 6 percent in the European community.

Better prices for our farmers and ranchers who produce food and fiber in this country is also crucial if they are going to meet the steady increase in operating costs.

There is no one single piece of legislation that is a panacea to solve this dilemma of agriculture. We will find solutions

through a number of acts. We failed in the House yesterday to support a small bill for some Western sugar beet growers who are facing an economically tough change in their farm operations. Our failure came because we split the vote on the basis of regionalism and partisanship. I regret the House did not respond to the needs of these farmers in the West, but there are more and bigger fish to fry to help out agriculture and rural areas.

One of our main problems is to overcome the things that divide us, and act in the Nation's best interests on a bipartisan basis to support and write into law measures that will revitalize depressed agricultural markets, bolster income of people on the land, and again create opportunity in rural areas.

Farmers and ranchers across this country believe it is time to fish or cut bait. On May 3 each of you can stand up for solving the problems of agriculture. Four of us, NEAL SMITH, KEITH SEBELIUS, JOHN ZWACH, and myself, have requested 4 hours of Special Orders to talk about these problems and what we should be doing. We ask all of our colleagues on a bipartisan basis to participate with us in this House discussion. All of our colleagues who represent urban areas and are not familiar with agriculture, are especially invited to attend and participate. We share a common interest in making economically sound America's most basic industry, on which we are all dependent.

Like the 80,000 farmers that marched in Brussels, the principal concern of agriculture is to improve income, but there are other topics that are current, including a proposal to abolish the Department of Agriculture, the plan for sharing with the States funds now appropriated for land conservation programs, the extension program, Forest Service grants, economic development, and others. There is also the Department of Transportation's proposed edict prohibiting the operation of farm trucks by farm youths less than 21 years old. All of these are of particular concern at this time.

May 3 will be our second Farm Forum Day. In our first on March 1, 75 Members of the House participated. We who have the Special Orders on May 3 urge all of you to be a part of this second Farm Forum Day.

#### AN ACT TO END COMBAT IN VIETNAM

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

Mr. DOW. Mr. Speaker, today I am introducing a bill titled, "An Act To End Combat in Vietnam."

So many events have happened of late—such as the dubious Laos incursion and the Calley sentence—as to generate a near consensus in the United States that the time has come to bring the military venture in Southeast Asia to a close.

My bill does not set a date certain. It provides that U.S. military forces shall cease all hostile action within 48 hours after the bill is enacted. It contains a qualification which would allow our

forces to repel any attacks made upon them.

Our troops would evacuate with all possible speed their encampments in the Southeast Asia States of Cambodia, Laos, Vietnam, and Thailand, taking arms and equipment for transport to appropriate points of debarkation.

The bill provides asylum for South Vietnamese leaders and their families, up to 25,000, whose lives could be jeopardized by U.S. withdrawal.

The bill recognizes what our leaders have barely perceived, namely, that U.S. prisoners in North Vietnam can probably not be freed unless exchanged for Vietcong and North Vietnamese prisoners previously captured by United States forces and turned over to the South Vietnamese. In order to secure the release, for such exchange, of such prisoners previously captured by our forces, my bill authorizes a negotiation fund of \$1,000,000,000 that could be offered as compensation to South Vietnam for such release.

Mr. Speaker, I should like to dwell a little longer on this aspect of Vietnam prisoner negotiations, which has not been well recognized in the United States as yet, but I submit again that it will be a matter of major consequence in the negotiations for U.S. prisoner release. As you know, it has been the practice for the U.S. military, when capturing North Vietnamese or Vietcong prisoners, to turn them over to the South Vietnamese for imprisonment. I do not have the slightest doubt that, when the time comes for negotiations for the release of American prisoners in North Vietnam, the question of releasing prisoners held on our side will be raised.

It will be recalled that the Korean war dragged on for nearly a year because the negotiations foundered on the question of prisoner exchange. It is unlikely that negotiations at the close of the Vietnam hostility can be completed in a context that avoids the difficult problem of prisoner exchange.

Now, the position of the United States vis-a-vis the prisoners of the other side that the United States has captured and turned over to the South Vietnamese, is very weak indeed. Here again, we have another example of the mistakes in judgment that were made by our military and civil officials from the very beginning of the Vietnam hostilities. By passing up the responsibility of holding the prisoners captured by our forces, and by turning them over to the Saigon control, we have lost the most effective lever that might permit us to negotiate successfully for the release of American prisoners held in North Vietnam.

Since this painful difficulty must be overcome, and there is not an easy strategy for doing it, I offer in my bill the negotiation fund of \$1 billion to facilitate the exchange of prisoners.

I think the fund would not be without interest to the South Vietnamese Government if it was offered to secure the release by them of those Vietcong and North Vietnamese prisoners turned over by our forces during the course of the war to South Vietnamese custody. Such released prisoners could then be exchanged for U.S. prisoners in North Vietnam, and perhaps for South Viet-

namese also held prisoner in North Vietnam.

This process which suggests ransom is not one that will generate much cheer amongst Americans, and it does not in me. However, the fact of the matter is that American prisoners held by the North Vietnamese are clearly not going to be released as long as the war continues, unless we turn to hideous escalation; in such case the American prisoners would no doubt be lost. Therefore, we must turn to a mode of negotiations for their release that certainly contributes nothing to our pride. In my judgment, Mr. Speaker, this is pretty much the sole avenue open to us within the premises as they exist today.

The bill I am introducing provides that the President shall acquaint the South Vietnamese Government of our purposes under this bill, and that he will turn over to them equipment of an economic, but not of a military, nature to help them in making the economic and social adjustments that follow from the U.S. withdrawal. All permanent installations built or provided by the U.S. Government in the past and located in those Southeast Asia States would be turned over to them respectively.

Also the bill provides for the asylum outside those States for their public leaders whose lives would, presumably, be jeopardized by U.S. military departure. The bill sets a limit of 25,000 persons, including families of the leaders, who might be granted this asylum.

Other bills introduced in Congress for ending the Vietnam conflict have contained broad provisions that asylum would be granted to any and all who might seek it. To me this open-ended arrangement is beyond our capacity to fulfill. It almost irresponsibly overlooks the logistics of caring for every Vietnamese who might want to leave his country.

The concluding provision of my bill would allow asylum for the aforesaid limited number of persons within the territory of the United States, notwithstanding any existing law which prohibits such immigration.

Mr. Speaker, I am not one who believes that a settlement in Vietnam can be readily attained in the near future through negotiations. The sole function of negotiations in the interest of the United States is the release of the American prisoners held by the North Vietnamese. All the rest of our disengagement can be handled not so much by negotiations as by action. Let us heed the desires of most Americans and manifest the resolution to take the action that the present Southeast Asia situation clearly demands.

Mr. Speaker, the transcript of my bill follows below:

H.R. 7337

A bill to end combat in Vietnam

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited hereafter as the "Act to End Combat in Vietnam."*

Sec. 2. (a) Congress finds and declares that forty-eight hours after the enactment of this legislation, all United States Armed Forces shall cease all military combat and military support missions in the States of Cambodia,

Laos, Vietnam, and Thailand, subject only to the qualification that United States Armed Forces may, in order to repel attacks made upon them, use such force as may be necessary at the scene of any attacks, but for the purpose of self-protection only.

(b) Such United States Armed Forces shall, with all possible speed, evacuate their arms and military support equipment from outposts and encampments in the aforesaid States. Such United States Armed Forces shall, with all possible speed, proceed with their arms and equipment to appropriate points of debarkation, and from there they shall, together with their arms and equipment, be transported to stations and posts under the command of the United States in places other than the aforesaid States of Cambodia, Laos, Vietnam, and Thailand.

(c) Commencing on the effective date of this Act all United States equipment with a military purpose not heretofore turned over to the South Vietnamese or other allied forces shall be removed from Southeast Asia and transported to stations and posts under the command of the United States.

(d) A report by the Defense Department of all military equipment disposition under control of the United States Armed Forces upon the enactment of this Act will be made to the Congress at the end of each month until all logistical exercises necessary to carry out the purpose of this Act have been exhausted.

Sec. 3. In accordance with the intent expressed in this Act, the Congress authorizes the President to conduct such negotiations as may be necessary to secure the release from captivity of all United States personnel, either military or civilian, who are held prisoner as a consequence of the recent hostilities in the aforesaid states. For the purpose of securing the release of American prisoners of war a negotiation fund of \$1,000,000,000 is hereby authorized. Such fund to be spent in any aspect of the negotiation for release of United States personnel held prisoner. The negotiation fund shall be used to facilitate the release of prisoners previously captured by the United States and held in custody by allied states, if that will facilitate the release of United States prisoners.

Sec. 4. The Congress further authorizes the President to convey immediately to the heads of states that have been allied with the United States in Cambodia, Laos, Vietnam, and Thailand, advice of the enactment of this legislation. He is authorized to turn over to them such equipment of an economic, but not military, nature as could be helpful to them in economic and social development. The authorization shall include all permanent installations built or provided by the United States Government in the past, and located within the territory of the aforesaid States of Cambodia, Laos, Vietnam, and Thailand.

Sec. 5. The President shall provide for asylum outside the territory of the aforesaid States of Cambodia, Laos, Vietnam, and Thailand, of public leaders to the number of 25,000 persons including members of families, dwelling in those states whose lives would, presumably, be jeopardized by a departure of United States Military Forces from the States of Cambodia, Laos, Vietnam, and Thailand. Provision of asylum for such persons within the territory of the United States is permissible notwithstanding any existing law or regulation limiting immigration to the United States.

#### A BREAK FOR OUR NATION'S LAWMEN

(Mr. RONCALIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RONCALIO. Mr. Speaker, I have many reasons to be proud of my colleague from New York City, Congressman BIAGGI, the author of the Law Enforcement Officers' Bill of Rights. Not the least of these is the fact that our parents came from the same village in the province of Emilia in Italy. His own career is one to bring credit to the U.S. House of Representatives. He is the only member from the State of New York's Police Department to be a member of the National Hall of Fame, he holds the coveted medal of honor award from the New York City Police Department, and has been injured and has suffered in the line of duty with the New York Police Department. Congressman BIAGGI brings with this legislation personal knowledge that only experience can bring. I am deeply honored to have this opportunity to cosponsor the Law Enforcement Officers' Bill of Rights, and I pledge my efforts to the successfulness of this cause.

On the national scale our police forces and sheriff's deputies have been demoralized as a result of not only a growing number of injuries and murders among their ranks, but by the verbal abuses heaped upon them by dissident segments of our society.

In the face of both physical and verbal assault, our police and sheriff forces have little recourse except individual over-reaction; over-reaction that can only result in tragedy for policemen, for the groups or individuals they confront, and which can only continue the demoralization of our police forces in a downward spiral.

The Law Enforcement Officers' Bill of Rights provides for means by which law officers can work for their betterment through the channels open to the average citizen in the United States. It provides that lawmen can participate in political activity while off duty; it provides that an officer of the law can bring civil suit against others for damages arising out of official duties; it provides policemen the right of counsel during interrogation.

Of equal importance, the Law Enforcement Officers' Bill of Rights establishes a Law Enforcement Officers' Grievance Commission to be composed of representatives from police forces, from government, and from the general public. Such a commission holds out the promise of recourse to the police officer other than direct, face-to-face dealings with those with whom he has contact in the course of his work.

In my State of Wyoming, law enforcement officers face unique and particular problems. Because of our sparse population and the great distances between towns, our State has become a haven for the lawless from more populated areas with better apprehension facilities.

The policemen, the sheriffs, the highway patrolmen of Wyoming need better salaries and better law enforcement facilities. Most importantly, the policemen of Wyoming need the encouragement that the Law Enforcement Officers' Bill of Rights offers.

Wyoming lawmen, and police forces across the Nation, are in desperate need of career opportunity and prestige. With the Law Enforcement Officers' Bill of

Rights, a career in the police force again has a chance of regaining the dignity to which it is entitled.

#### TRUTH-IN-NEWS BROADCASTING BILL GAINS COSPONSORS

(Mr. MINSHALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MINSHALL. Mr. Speaker, in re-introducing my truth-in-news broadcasting legislation with cosponsors today, I am greatly encouraged that we are on the way to separating fact from fantasy in news and public affairs programing.

Public response to this bill has been entirely enthusiastic, with words of commendation coming from citizens all the way from California to Connecticut.

I wish to express my appreciation to the six colleagues who are adding their names as cosponsors to the bill: Mr. GUBSER, of California; Mr. TEAGUE, of California; Mr. VEYSEY, of California; Mr. WAGGONER, of Louisiana; Mr. WHITEHURST, of Virginia; and Mr. WILLIAMS, of Pennsylvania. I hope that when we meet again after Easter recess other Members will also join in sponsoring the measure.

To recapitulate briefly, truth-in-news broadcasting makes very simple requirements of radio and television licensees. Any program containing sequences which have been staged, edited or altered, including interviews that may have been rearranged or altered so that questions and answers are taken out of context, shall be so identified by the licensee for the information of the audience.

Contrary to objections raised by a few in this branch of the news media, my legislation would not prohibit them from continuing to stage, dramatize or alter news sequences or interviews. It would merely require that they clearly and publicly label such productions for what they are. Presently the TV-radio news audience has no way of knowing where truth leaves off and the media's manipulation of facts takes over.

There is precedence for this, of course. Newspapers and periodicals label advertisements for what they are. Public service and political announcements must be so identified on the air. We are all familiar with the phrase, "portions of the preceding were recorded."

Constitutionally guaranteed freedoms of the first amendment are in no way impaired by truth-in-news broadcasting, and the rights of American news consumers will be considerably enhanced by its enactment. Never before in our history has the right to know the truth been more important. My bill would be one step toward helping assure that right.

On Wednesday, April 28, I plan a special order, at which time I invite all Members of the House to join with me on the House floor in this crusade for truth-in-news broadcasting.

#### THE NEWS MEDIA MUST ASSUME ITS SHARE OF THE BLAME

(Mr. HENDERSON asked and was given permission to address the House for

1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. HENDERSON. Mr. Speaker, I was extremely interested to note that at a combined meeting of the American Legion and VFW posts in the town of Dunn, N.C., in my district, a resolution was adopted which specifically laid the blame for the Calley trial and conviction on the national news media.

Singled out for particular mention were CBS-TV and Life magazine which, the resolution states, "persecuted Lieutenant Calley by pushing him into a trial that should not have been held and in all probability would not have been held without the furor generated by biased news reporting."

It is possible that the resolution may be just a bit strong, but we cannot fail to take note of the fact that we read, see, and hear about the war in Vietnam what the network news editors, wire service reporters, and newspaper editors have chosen to let us read, see, and hear.

If the media chooses to play up My Lai and play down atrocities like the Hue massacre and the Tet offensive, it is easy to establish the impression that the American armed services are acting with unnecessary cruelty while the enemy is waging the war in a more conventional manner.

If the media chooses to play up the action of a single platoon in refusing to obey an order to advance instead of the actions of thousands and thousands of men who without hesitation risk their lives daily in carrying out their orders, they can give the impression that our troop morale in Vietnam is low and that our soldiers there are inferior to those who have served in other wars or other times.

If the media chooses to give broad coverage to small groups of protesters and demonstrators and ignore the rallies, meetings, and actions of hundreds of thousands of loyal Americans who still cling to the time honored precept, "my country—right or wrong," both at home and abroad, the impression is given that protest and irresponsibilities are the prevailing practices in our Nation.

It is true that the media, as it so often reminds us, does not make the news. It only reports the news.

But what the media is avoiding is the obvious fact that it—and only it—decides what the news is. There have been proven instances of carefully staged filmings being woven into so-called documentaries with no revelation of this fact being given to the public.

While such instances may be the exception rather than the rule, it is a fact that every day the media make the basic decision on what to report and what not to report. These decisions are made by human beings with their inescapable prejudices, their opinions, and their experience. It is impossible for them to divorce their backgrounds and their predispositions from this decisionmaking process.

When everyone on a particular news team or editorial staff is liberal, just as surely as the sun rises tomorrow, the news reported by such a team or approved by such a staff will reflect a liberal viewpoint.

If, on the other hand, the staff is conservative, the news reported will reflect that viewpoint.

Many of my constituents believe that the liberal press has deliberately used the My Lai incident and every other one it could find to try to turn American public opinion against our involvement in Indochina.

I agree with the Vice President that we cannot and must not attempt to establish censorship or coercive measures to control the news media and that the sanctity of the freedom of the press guaranteed by the first amendment must be preserved. But in the long run, a biased press will destroy itself.

The American public must learn not only to scrutinize carefully what the news media say, but also to be aware of what they do not say.

#### THE CALLEY TRIAL

(Mr. NICHOLS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NICHOLS. Mr. Speaker, the conviction and subsequent life in prison sentence handed to Lt. William Calley by military court at Fort Benning, Ga., last week has brought widespread criticism from throughout the country.

In my own State of Alabama, I would say without reservations that the Calley trial continues to be the chief topic of conversation. The almost unanimous ground swell of public opinion in support of Lieutenant Calley has generated the highest of public outcry since the Japanese Air Force bombed Pearl Harbor at the beginning of World War II.

After spending the weekend in my district, I can say without hesitation that Alabamians are solidly united behind Lieutenant Calley. Our district offices have received more than 500 personal telephone calls protesting the Calley verdict and our offices continue to be swamped with piles of personal letters written in the lieutenant's behalf.

On Friday of last week, I spoke to an estimated crowd of more than 1,000 concerned citizens on Noble Street in Anniston, Ala., at a rally protesting the decision handed down by the military court. In the city of Jacksonville, just north of Anniston, schools were dismissed, businesses were closed so that residents of that city could attend the rally. Following the meeting, I received petitions from a number of high schools, industries, civic clubs, and veterans organizations and just average citizens protesting the verdict. The following day, I received a petition circulated by the police department in my hometown of Sylacauga and more petitions were received in my district office on Monday of this week. We now have more than 15,000 signatures on these petitions which will be forwarded to the President.

Mr. Speaker, the people of Alabama and of this Nation are up in arms. Everywhere I went over the weekend, there were bumper stickers saying "Free Lieutenant Calley." On Friday of last week, the Governor of my State of Alabama, the Honorable George C. Wallace, visited

Lieutenant Calley in his quarters at Fort Benning, as a representative of the people of Alabama. Yet the Washington Post felt obligated to criticize the Governor for this visit. Although the same Washington Post, Life magazine, and other publications saw nothing wrong in the page spreads which this media used in pretrial publicity which most surely had a bearing on bringing this matter to trial in the first place.

I commend the President for his decision in deferring the sentence to confinement pending the outcome of litigation. The people of my State and of the Nation will be following this case closely as it goes through the appellate procedure.

#### SITUATION IN VIETNAM

(Mr. BIAGGI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BIAGGI. Mr. Speaker, I am greatly disturbed by recent reports indicating that the President's much-heralded report on Vietnam tonight will only be another numbers game.

Officials of the State and Defense Departments testified yesterday that they were against linking the POW issue with changes in the U.S. military or political policies on the Indochina war. And Secretary Laird was unresponsive last night to an appeal from nine members of the President's own political party calling for a new initiative.

Frankly, Mr. Speaker, the President will have to do more than just announce further troop withdrawals. This much is expected and predictable. Rather what we need is a strong initiative from the Chief Executive in the hopes of breaking the deadlock in the negotiations and on the battlefield.

In a telegram to the President today, I have proposed that he immediately order a total withdrawal of all American troops from Southeast Asia before December 31, 1971. However, such an order should be rescindable if the North Vietnamese, the Vietcong and the Pathet Lao do not release all American prisoners of war. Additionally, he should call for an immediate cease-fire to facilitate the troop withdrawal. Such a plan could bring our boys home before the end of the year.

It is quickly becoming clear to a majority of Americans that the President's "light at the end of the tunnel" may only be a mirage. Continued talk of large residual forces and a dragged-out support force commitment have dashed all hopes that Mr. Nixon would keep his campaign promise to end the war.

In March of 1969, I asked the President to initiate proposals that would set a date and the conditions for total U.S. withdrawal. In addition, I have consistently supported efforts both public and private to develop and pass legislation that would help end the war. And I will do so again in this session of Congress.

We cannot continue to wait for the other side to move. The Vietnamization program seems to have worked well. It certainly appears that the South Vietnamese are fully capable of protecting

themselves. A continued policy based on this effort is no longer sufficient. My proposal would certainly be a strong step toward bringing about the peace that all peoples of the world so desperately seek.

#### PROPOSED INVESTIGATION OF THE FBI

(Mrs. ABZUG asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. ABZUG. Mr. Speaker, the announcement of our distinguished majority leader, Mr. Boggs, that the Federal Bureau of Investigation has put taps on the phones of Members of Congress is the latest in a series of revelations about the unconstitutional behavior and incompetence of that division of the Department of Justice. We are all in Mr. Boggs' debt for he has done a service to this country in making public this latest outrage. But it is only the latest example.

More and more frequently the bizarre administration of the FBI comes to light and I today introduce a resolution calling on the House Judiciary Committee to investigate the entire Bureau: the quality of its administration, including reports of a marked decline in the ability of its aging Director, the activities of the agents and their supervisors; the rationale choosing which cases get the special effort, the methods used in gathering evidence, the accuracy of the statistical measures of bureau activity, and personnel policies and practices.

Recent events have made it starkly evident that the FBI, busy investigating others, needs someone to investigate it. For example, in recent months we have observed charges against leaders of the Catholic antiwar movement originate in testimony made before committees of Congress and justified only by an indictment returned 2 months later. In fact, the entire history of the Berrigan case has been one of impropriety on the part of the FBI. First there is the fact that the accusations against Father Berrigan and the others originated in testimony made before committees of Congress by a Justice Department official seeking expanded appropriations for the Bureau he heads. Then there is a question as to whether the indictments were returned with insufficient evidence in order to silence criticism of the original accusation. There are further questions: On what evidence, if any, did the grand jury act? Why is an investigation being conducted after, rather than before, the indictments? To what extent did the statements of informers provide evidence for indictment? To what extent did the Department of Justice use the immunity laws to coerce witnesses? How was Harrisburg chosen as the place of venue?

I fear that the true story behind the Berrigan indictments is an ugly story of political repression, and that few Members of Congress will consider it politically expedient to come to their aid. Yet if we as elected officials and as citizens remain silent in the defense of freedom, the ugly hand of repression may next knock on our door in the night. All Americans concerned about civil liberties

should be vigilant that the courts not become the platforms of men who would use the perjured testimony of spies, infiltrators, wiretaps and other such methods to convict those whose crime was that they loved peace more than war.

Besides the Berrigan case, other examples of FBI arbitrariness and overreaching have recently come to light:

An agent of the FBI, John F. Shaw, who criticized in an academic program the administration of the agency was summarily dismissed and effectively precluded from finding any other employment;

A group of anonymous FBI agents has indicated that the treatment accorded Mr. Shaw was not unusual;

Congressional leaders have disclosed that the telephones of Members of the Congress have been subject to wiretap;

Stolen FBI files have shown us that the agency routinely maintains large and inaccurate dossiers on special groups and individuals—notably the peace movement and black activist groups—whose politics the Director finds personally offensive.

These incidents show us that the FBI may be slowly but inexorably invading the privacy, the constitutional freedoms, and the peace of mind of us all. Any individual, it appears, who dares to criticize any of his country's policies; anyone who dares to suggest that our war policy may be misguided, that some of our children are hungry, that racism and sexism are rampant—any such citizen is eligible for surveillance by Mr. Hoover and his men. The time for congressional inquiry into the activities of the FBI is now.

Under the rules of the House, the Judiciary Committee has a duty of "continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee." I call upon the House to approve such an investigation. After all, in the last analysis, law and order depend on public respect for the integrity of law enforcement officials.

It seems that the time has come for us to begin watching the watchers.

#### REACTION TO THE CALLEY TRIAL REQUIRES MATURE JUDGEMENT AMONG US ALL

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

Mr. BENNETT. Mr. Speaker, I have not previously spoken on the trial of Lt. William Calley although I have written a number of letters on the subject. I speak now out of a sense of duty, and not because I think it will be helpful to me. I think the matter has lately not experienced in some quarters the mature judgment which it deserves. In the first place, the case has not exhausted its appellate review and there is under the Constitution and statutes possible intervention available by the Secretary of the Army and the President of the United States.

The day the verdict was rendered I wrote the President suggesting a policy

that could include a pardon or exclusion of a lengthy period of imprisonment but I did so in a manner that was not critical of the court that had rendered the verdict because only they had the fullest information on the subject, and all I know of it comes from newspaper accounts. The court may have been fully justified in their action and yet leniency may now be called for because of other matters. In writing the President I urged the consideration requested "because of the peculiar circumstances of an enemy not being in uniform but belligerent, and of the dangers involved in this particular locality from such nonuniformed enemy." I also urged it "because of the ambiguities involved in the impression that Lieutenant Calley had of his orders and what he believed was his ordered duty and the right thing to do."

These matters suggested as to leniency go beyond the technical requirements of a legal trial and even beyond the evidence submitted perhaps, but they are matters that have a valid place in consideration of the ultimate handling of the case. The fact that they did not play a stronger part in the verdict is not necessarily a criticism of the military court action.

There are already ways under existing legal procedures where these matters can have a bearing on the ultimate disposition of Lieutenant Calley's case. However, the whole situation points up to me that matters of a merciful nature sometimes seem less easily handled by military courts; and it is for this reason that I am drafting for future congressional consideration amendments to the Military Code of Justice which would allow a military defendant an option to be tried in civilian courts under certain circumstances. I am hopeful by this process that a military defendant can thereby be assured that the fact that the defendant wears a uniform will not be an obstacle to him in a criminal case, even though sometimes it may in fact be an assistance that would not be available to a civilian. I think the special obligations of the public to a man in uniform do not make this concept unduly partial for the military accused.

#### PRODUCTION OF M-16 RIFLES

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

Mr. COTTER. Mr. Speaker, I have been informed that the Department of Defense, through the office of the Assistant Secretary of Defense for International Security Affairs, is in the process of approving a contract that would further decrease the production of M-16's in Connecticut.

The contract would involve \$42 million of Foreign Military Sales Credit for a "co-production" plant in Korea. This plant will make in the neighborhood of 600,000 M-16 rifles.

I do not have to tell the Members of this House the pressing problems of unemployment that beset this Nation. Given these problems, I do not understand why we would consider moving jobs from the United States to Korea. Let me be perfectly clear on one point:

I do not for a minute feel that we should not supply our Allies with equipment so that they can protect themselves. I am just questioning whether the construction of plants overseas is in our best interest given our own economic problems. I do not think so.

Thus, I have written to the President asking him to have Secretary of Defense analyze this contract keeping in mind the employment situation facing this Nation. There have been many layoffs of those involved in the production of the M-16's in Connecticut and there will be more even without this contract. I am confident that should we produce these rifles for our Allies in this country, it will result in more jobs here.

I am including a copy of my letter to the President on this matter.

APRIL 6, 1971.

Hon. RICHARD M. NIXON,  
The President,  
The White House,  
Washington, D.C.

MY DEAR MR. PRESIDENT: It has come to my attention that the Colt Firearms Division of Colt Industries, Hartford, Connecticut, has concluded a preliminary contract with the Republic of Korea for the setting up of a "co-production" plant in Korea that will make somewhere in the neighborhood of 600,000 M-16 rifles.

It is my understanding that the Office of Secretary of Defense, International Security Affairs, has arranged for financing through the Foreign Military Credit Sales program. Specifically, some \$42 million in FMS credits will be made available to the Republic of Korea for the purchase of capital equipment and raw materials in the United States.

My question to you, sir, is why can't we use FMS credits to permit the Republic of Korea to purchase completed M-16 rifles produced in Hartford? Unemployment in the defense-aerospace industries is bad enough without compounding the situation by subsidizing foreign competition.

For your information, employment at the Colt's Firearms Division has fallen from a high of 2,400 in late 1969 during peak production of the domestic M-16 program to a current low of 1,500 people. Employment, I understand, is expected to fall to 1,300 shortly.

The preliminary contract, or Memorandum of Understanding, must now be approved by the Secretary of Defense. I strongly urge that you instruct the Secretary of Defense to re-examine this proposed "co-production" contract in light of the pressing employment situation here.

Sincerely,

WILLIAM R. COTTER,  
Member of Congress.

#### REPRESENTATIVE NIX TO INTRODUCE COMMEMORATIVE STAMP BILL HONORING DR. MARTIN LUTHER KING

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

Mr. NIX. Mr. Speaker, today, I am once again going to introduce a commemorative stamp bill honoring Dr. Martin Luther King on behalf of myself and other Members of Congress. Within the last week over 100 Members of Congress have cosponsored legislation which would require the issuance of a commemorative stamp honoring Dr. King.

Another anniversary of Dr. King's

death has come and gone. I have introduced bills for 3 years with scarcely a flutter of interest on the part of the postal service.

I believe, and I think the 100 cosponsors of this legislation believe, that it is time to honor Dr. King who did so much during his lifetime to make democracy a reality in America. Three Civil Rights Acts are evidence of that fact.

When previous bills were introduced, I pointed out that the postal service did not find it difficult to issue commemorative stamps honoring Walt Disney, Grandma Moses, Edgar Lee Masters, Henry Ford, Lucy Stone, and others. Commemorative stamps have been issued honoring the American sheep, football, and Stone Mountain, Ga.; the Confederate War Memorial.

Recently Postmaster General Blount announced a series of four stamps honoring the alligator, the polar bear, a California condor, and a trout. This is added to the previous commemoration of elephants and reptiles. A stamp honoring the artist John Sloan portrays the posterior of a ferryboat.

I think it is time to honor Dr. Martin Luther King who is honored by millions of Americans. Today I am proud to announce that Congressmen KOCH, HARRINGTON, MOORHEAD, ADAMS, FULTON of Pennsylvania, and Mrs. GREEN agree with me and have cosponsored this latest bill. A complete list of cosponsors of legislation requiring the issuance of a commemorative stamp honoring Dr. King is attached. So far there have been 103 Congressmen and Congresswomen who have joined in this effort. I hope that Postmaster General Blount has noted this.

#### The list follows:

##### COSPONSORS OF MARTIN LUTHER KING COMMEMORATIVE STAMP

James Abourezk of South Dakota.  
Bella S. Abzug of New York.  
Brock Adams of Washington.  
Joseph P. Addabbo of New York.  
Glen M. Anderson of California.  
William R. Anderson of Tennessee.  
Frank Annunzio of Illinois.  
Les Aspin of Wisconsin.  
Herman Badillo of New York.  
William A. Barrett of Pennsylvania.  
Edward G. Blester, Jr., of Pennsylvania.  
Jonathan B. Bingham of New York.  
Richard Bolling of Missouri.  
John Brademas of Indiana.  
Frank J. Brasco of New York.  
James A. Burke of Massachusetts.  
Phillip Burton of California.  
James A. Byrne of Pennsylvania.  
Charles J. Carney of Ohio.  
Shirley Chisholm of New York.  
William (Bill) Clay of Missouri.  
James C. Cleveland of New Hampshire.  
George W. Collins of Illinois.  
John Conyers, Jr., of Michigan.  
Lawrence R. Coughlin of Pennsylvania.  
John C. Culver of Iowa.  
Dominick V. Daniels of New Jersey.  
George E. Danielson of California.  
Ronald V. Dellums of California.  
John H. Dent of Pennsylvania.  
Charles C. Diggs, Jr., of Michigan.  
John D. Dingell of Michigan.  
John G. Dow of New York.  
Robert F. Drinan of Massachusetts.  
Florence P. Dwyer of New Jersey.  
Don Edwards of California.  
Joshua Eilberg of Michigan.  
Marvin L. Esch of Michigan.

Dante B. Fascell of Florida.  
 Daniel J. Flood of Pennsylvania.  
 Thomas S. Foley of Washington.  
 William D. Ford of Michigan.  
 Donald M. Fraser of Minnesota.  
 James G. Fulton of Pennsylvania.  
 Cornelius E. Gallagher of New Jersey.  
 Henry B. Gonzalez of Texas.  
 Ella T. Grasso of Connecticut.  
 Edith Green of Oregon.  
 William J. Green of Pennsylvania.  
 Seymour Halpern of New York.  
 James M. Hanley of New York.  
 Richard T. Hanna of California.  
 Michael Harrington of Massachusetts.  
 Augustus F. Hawkins of California.  
 Ken Hechler of West Virginia.  
 Henry Helstoski of New Jersey.  
 Floyd V. Hicks of Washington.  
 Frank Horton of New York.  
 Craig Hosmer of California.  
 Edward I. Koch of New York.  
 Peter N. Kyros of Maine.  
 Robert L. Leggett of California.  
 Paul N. McCloskey, Jr. of California.  
 John J. McFall of California.  
 Ray J. Madden of Indiana.  
 Spark M. Matsunaga of Hawaii.  
 Lloyd Meeds of Washington.  
 Ralph H. Metcalfe of Illinois.  
 Abner J. Mikva of Illinois.  
 George P. Miller of California.  
 Patsy T. Mink of Hawaii.  
 Parren J. Mitchell of Maryland.  
 William S. Moorehead of Pennsylvania.  
 F. Bradford Morse of Massachusetts.  
 John E. Moss of California.  
 Robert N. C. Nix of Pennsylvania.  
 Edward J. Patten of New Jersey.  
 Claude Pepper of Florida.  
 Otis G. Pike of New York.  
 Bertram L. Podell of New York.  
 Charles B. Rangel of New York.  
 Ogden E. Reid of New York.  
 Henry S. Reuss of Wisconsin.  
 Donald W. Riegle, Jr. of Michigan.  
 Peter W. Rodino, Jr. of New Jersey.  
 Robert A. Roe of New Jersey.  
 Fred B. Rooney of Pennsylvania.  
 Benjamin S. Rosenthal of New York.  
 William R. Roy of Kansas.  
 Philip E. Ruppe of Michigan.  
 William F. Ryan of New York.  
 Fernand J. St Germain of Rhode Island.  
 Paul S. Sarbanes of Maryland.  
 James H. Scheuer of New York.  
 John F. Seiberling of Ohio.  
 B. F. Sisk of California.  
 Louis Stokes of Ohio.  
 Robert O. Tiernan of Rhode Island.  
 Morris K. Udall of Arizona.  
 Lionel Van Deerlin of California.  
 Charles A. Vanik of Ohio.  
 Jerome R. Waldie of California.  
 Charles W. Whalen, Jr. of Ohio.  
 Lester L. Wolff of New York.

#### SUPPORT AMERICA

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

Mr. YOUNG of Florida. Mr. Speaker, for the past 2 years our President has been the target of an unprecedented barrage of criticism for his efforts in winding down this Nation's military involvement in Southeast Asia.

Once that is accomplished, I predict the very people who have done everything to tear down the President and frustrate his efforts toward Vietnamization of the war will be the very first ones in line to claim credit for the Nixon success.

Many of the critics, including some

Members of Congress, were the very same voices who supported our Vietnam involvement not too many years ago; but that was under other administrations, and therein lies the difference.

But just watch, they will claim credit for successes that have been achieved not because of their actions but despite their actions.

If the carping critics had devoted only 10 percent as much effort in support of the President as they have in trying to tear him down, I feel we would have been out of Vietnam by now.

For whatever their motives, they have chosen instead to encourage the Communists to renew their military efforts in Southeast Asia in the misguided hope that the United States does not support its fighting men, and might even be in imminent danger of internal collapse.

No matter how wild the accusations, no matter how anguished the howls, certain facts remain indisputable.

President Nixon inherited the worst political and military situation of any Chief Executive in many years—a situation handed to him by those who criticize him most for not promptly solving it.

He has turned around the spiraling U.S. involvement in the unfortunate Vietnam conflict, and is getting us out of it in a fashion that will leave the South Vietnamese with the capability to handle their own defense.

Perhaps the President's critics fear, more than anything else, that he is succeeding in Southeast Asia.

#### PRINCIPAL ASSISTANTS OF MEMBERS REQUIRED TO FILE UNDER FINANCIAL DISCLOSURE RULE

(Mr. PRICE of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PRICE of Illinois. Mr. Speaker, time is fleeting for compliance with the requirements of House rule XLIV (44), the financial disclosure rule.

As chairman of the Committee on Standards of Official Conduct, which has administrative authority over the rule, I take this means of reminding those Members who have not yet responded, that the committee needs their designations of "principal assistants," as provided in the rule, as soon as possible.

Likewise, some committee chairmen have not yet furnished the committee the names of committee staff personnel who, in their judgment, should file the financial reports.

The rule requires that these reports be in the committee's hands not later than April 30, but to date nearly a third of the Members have not even designated "principal assistants" for the purpose of the rule.

Letters were sent to all Members the first week in February requesting these designations. Forms were enclosed for listing the designations. Similar letters and forms were sent to all committee chairmen at the same time.

Our committee needs these designations as soon as possible in order to provide the designated employees with the proper financial disclosure forms in time for them to meet the April 30 deadline.

I also urge those Members who have not filed their own reports to give early attention to the matter.

#### HEARINGS ON HEALTH MANPOWER TO BEGIN APRIL 20

(Mr. ROGERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS. Mr. Speaker, I am pleased to announce that the Subcommittee on Public Health and Environment has scheduled hearings in Washington on legislation which will begin to alleviate our national crisis in the health manpower field. On April 20, 21, and 22, 1971, the subcommittee will conduct hearings on H.R. 4155, "The Comprehensive Health Manpower Training Act of 1971" and H.R. 4618, "The Nurse Manpower Training Act of 1971" and related bills.

Mr. Speaker, the principal emphasis on health legislation during the past decade has been on the means of payment to providers of health services. Hopefully during the 1970's more emphasis will be placed on the delivery of health services and the means by which the quality of health care in these United States can be improved.

It has been estimated that today's shortage of physicians in the United States approaches 50,000 and that the shortage of nurses is three times that number. The population explosion, coupled with the rapid movement into the metropolitan areas, has left our Nation bare of health personnel. For example, Mr. Speaker, in Topeka, Kans., where members of the subcommittee held hearings last week, we were told of the total inadequacy of health care in many of the rural areas of that State. In one rural Kansas community, a 7-year effort to obtain a physician—which has included contacting 250 doctors with promises of immediate construction of a clinic with community funds—has only met failure. In another Kansas county, a resident testified that farm animals receive better care than human beings.

Yet we are told, Mr. Speaker, that of the 12,000 applicants turned away from medical schools each year, 10,000 are qualified to be admitted to medical colleges.

Mr. Speaker, the legislation to be considered by the subcommittee is designed to provide this country with increased health manpower at a dramatic rate. Moreover, the legislation is designed to encourage medical schools and their counterparts to establish new programs and develop innovative modifications of existing programs which will help alleviate shortages of medical and paramedical personnel in rural and other financial distressed areas.

I welcome the participation of my colleagues in these efforts.

#### PRESIDENT'S INTERVENTION IN CALLEY CASE

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

Mr. FRASER. Mr. Speaker, I want to compliment the prosecutor in the Calley case, Capt. Aubrey M. Daniel III, for the statement which he made with respect to the President's intervention in that case. I like to think that the United States Army always will reflect the devotion to duty and to the rule of law which is exemplified by the very fine statement by Captain Daniel.

Mr. Speaker, I include at this point in the RECORD the complete text of Captain Daniel's letter to the President:

TEXT OF CAPTAIN DANIEL'S LETTER TO NIXON ON CALLEY CASE

This is a complete text of a letter sent to President Nixon by Army Capt. Aubrey M. Daniel, III, prosecutor in the trial of Lt. William L. Calley Jr. Copies also were sent to six senators:

Sir: It is very difficult for me to know where to begin in this letter as I am not accustomed to writing letters of protest. I only hope that I can find the words to convey to you my feelings as a United States citizen and as an attorney, who believes that respect for the law is one of the fundamental bases upon which this nation is founded.

On Nov. 26, 1969, you issued the following statement through your press secretary, Mr. Ronald Ziegler in referring to the My Lai incident:

"An incident such as that alleged in this case is in direct violation not only of U.S. military policy but is also abhorrent to the conscience of all the American people. The Secretary of the Army is continuing his investigation. Appropriate action is and will be taken to assure that illegal and immoral conduct as alleged be dealt with in accordance with the strict rules of military justice.

"This incident should not be allowed to reflect on the some million and a quarter young Americans who have now returned to the United States after having served in Vietnam with great courage and distinction."

NOT JUSTIFIED

At the time you issued this statement, a general courtmartial had been directed for a resolution of the charges which had been brought against Lieutenant William L. Calley Jr. for his involvement at My Lai.

On Dec. 8, 1970, you were personally asked to comment on the My Lai incident at a press conference. At that time you made the following statement:

"What appears was certainly a massacre, and under no circumstances was it justified.

"One of the goals we are fighting for in Vietnam is to keep the people from South Vietnam having imposed upon them a government which has atrocity against civilians as one of its policies.

"We cannot ever condone or use atrocities against civilians in order to accomplish that goal."

These expressions of what I believed to be your sentiments were truly reflective of my own feelings when I was given the assignment of prosecuting the charges which had been preferred against Lt. Calley. My feelings were generated not by emotionalism of self-righteous indignation but by my knowledge of the evidence of the case, the laws of this nation in which I so strongly believe, and my own conscience.

I knew that I had been given a great responsibility and I only hoped that I would be able to discharge my duties and represent the United States in a manner which would be a credit to the legal profession in our system of justice. I undertook the prosecution of the case without any ulterior motives for personal gain either financial or political. My only desire was to fulfill my duty as a prosecutor and see that justice was done in accordance with the laws of this nation.

I dedicated myself totally to this end from November of 1969 until the trial was concluded. Throughout the proceedings there was criticism of the prosecution but I lived with the abiding conviction that once the facts and the law had been presented there would be no doubt in the mind of any reasonable person about the necessity for the prosecution of this case and the ultimate verdict. I was mistaken.

TRIAL FAIR

The trial of Lt. Calley was conducted in the finest tradition of our legal system. It was in every respect a fair trial in which every legal right of Lt. Calley was fully protected. It clearly demonstrated that the military justice system which has previously been subject to much criticism was a fair system. Throughout the trial, the entire system was under the constant scrutiny of the mass media and the public, and the trial of Calley was also in a very real sense the trial of the military judicial system.

However, there was never an attack lodged by any member of the media concerning the fairness of the trial. There could be no such allegation justifiably made.

I do not believe that there has ever been a trial in which the accused's rights were more fully protected, the conduct of the defense given greater latitude, and the prosecution held to stricter standards. The burden of proof which the government had to meet in this case was not beyond a reasonable doubt but beyond possibility. The very fact that Lt. Calley was an American officer being tried for the deaths of Vietnamese during a combat operation by fellow officers compels this conclusion.

The jury selection, in which customary procedure was altered by providing both the defense and the prosecution with three preemptory challenges instead of the usual one, was carefully conducted to insure the impartiality of those men who were selected. Six officers, all combat veterans, five having served in Vietnam, were selected.

These six men who had served their country well were called upon again to serve their nation as jurors and to sit in judgment of Lt. Calley as prescribed by law. From the time they took their oaths until they rendered their decision, they performed their duties in the very finest tradition of the American legal system.

SERVED WELL

If ever a jury followed the letter of the law in applying it to the evidence presented, they did. They are indeed a credit to our system of justice and to the officer corps of the United States Army.

When the verdict was rendered, I was totally shocked and dismayed at the reaction of many people across the nation. Much of the adverse public reaction I can attribute to people who have acted emotionally and without being aware of the evidence that was presented and perhaps even the laws of this nation regulating the conduct of war.

These people have undoubtedly viewed Lt. Calley's conviction simply as the conviction of an American officer for killing the enemy. Others, no doubt out of a sense of frustration, have seized upon the conviction as a means of protesting the war in Vietnam. I would prefer to believe that most of the public criticism has come from people who are not aware of the evidence either because they have not followed the evidence as it was presented or having followed it they have chosen not to believe it.

Certainly, no one wanted to believe what occurred at My Lai, including the officers who sat in judgment of Lt. Calley. To believe, however, that any large percentage of the population could believe the evidence which was presented and approve of the conduct of Lt. Calley would be as shocking to my conscience as the conduct itself since I believe that we are still a civilized nation.

WAR BRUTALITIES

If such be the case, then the war in Vietnam has brutalized us more than I care to believe, and it must cease.

How shocking it is if so many people across the nation have failed to see the moral issue which was involved in the trial of Lt. Calley—that it is unlawful for an American soldier to summarily execute unarmed and unresisting men, women, children, and babies.

But how much more appalling it is to see so many of the political leaders of the nation who have failed to see the moral issue or having seen it, to compromise it for political motives in the face of apparent public displeasure with the verdict.

I would have hoped that all of the leaders of this nation, which is supposed to be the leader within the international community, for the protection of the weak and the oppressed regardless of nationality, would have either accepted and supported the law of this country as reflected by the verdict of the court or not made any statement concerning the verdict until they had had the same opportunity to evaluate the evidence that the members of the jury had.

In view of your previous statements concerning this matter, I have been particularly shocked and dismayed at your decision to intervene in these proceedings in the midst of the public clamor. Your decision could only have been prompted by the response of a vocal segment of the population, who while no doubt acting in good faith, cannot be aware of the evidence which resulted in Lt. Calley's conviction.

SYSTEM HURT

Your intervention has in my opinion, damaged the military judicial system and lessened any respect it may have gained as a result of these proceedings. You have subjected a judicial system of this country to the criticism that it is subject to political influence when it is a fundamental precept of our judicial system that the legal processes of this country must be kept free from any outside influences.

What will be the impact of your decision upon future trials, particularly those within the military?

Not only has respect for the legal process been weakened and the critics of the military judicial system been given support for their claims of command influence, the image of Lt. Calley, a man convicted of the premeditated murder of at least 21 unarmed and unresisting people, as a national hero has been enhanced, while at the same time support has been given to those persons who have so unjustly criticized the six loyal and honorable officers who have done this country a great service by fulfilling their duties as jurors so admirably.

Have you considered those men in making your decisions? The men who since rendering their verdict have found themselves and their families the subject of vicious attacks upon their honor, integrity, and loyalty to this nation.

It would seem to me to be more appropriate for you as the President to have said something in their behalf and to remind the nation of the purpose of our legal system and the respect it should command.

SUPPORT LAW

I would expect that the President of the United States, a man whom I believed should and would provide the moral leadership for this nation, would stand fully behind the law of this land on a moral issue which is so clear and about which there can be no compromise. For this nation to condone the acts of Lt. Calley is to make us no better than our enemies and make any pleas by this nation for the humane treatment of our own prisoners meaningless.

I truly regret having to have written this letter and wish that no innocent person had died at My Lai on 16 March 1968. But inno-

cent people were killed under circumstances that will always remain abhorrent to my conscience.

While in some respects what took place at My Lai has to be considered to be a tragic day in the history of our nation, how much more tragic would it have been for this nation to have taken no action against those who were responsible.

That action was taken, but the greatest tragedy of all will be if political expediency dictates the compromise of such a fundamental moral principle as the inherent unlawfulness of the murder of innocent persons, making the action and the court of six honorable men who served their country so well, meaningless.

Respectfully yours,

AUBREY M. DANIEL III,

Captain, JAGC, Trial Counsel, United States versus Calley.

#### INTRODUCTION OF YOUTH COUNCIL BILL

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin (Mr. STEIGER) is recognized for 10 minutes.

Mr. STEIGER of Wisconsin. Mr. Speaker, it is essential that our Government undertake a comprehensive effort to relate and respond to the needs of our young people. This fact has prompted me to cosponsor the Youth Council Act of 1971.

The Federal Government, specifically the executive branch, can do a great deal to establish lines of communication between the Government and the young people of our Nation. The need for programs to react and respond to our youth is apparent, not only to alleviate a major source of frustration and apathy in our country, but also to utilize youth's great storehouse of talent and imagination.

In a June 17, 1969, letter to the President, the Campus Task Force, comprised of 22 Congressmen including myself, set forth their consensus impressions of student attitudes and problems.

In personal meetings with over 1,000 students, these Congressmen were told that a lack of channels of communication between government and students exists, and as a result, there is no responsiveness by government to student demands. These students further stated they did not see the government solving problems, and there is a gap between the government's promises and its performance.

To gain a deeper insight into the existing youth policies of the Federal Government, several members of the Campus Task Force jointly requested 37 Federal agencies to respond to a questionnaire dealing with programs and policies for and involving youth. The questions concerned new programs developed by the agencies that have an impact on youth and the control, coordination, and review of these programs.

An analysis of the agencies' responses reveals numerous youth oriented programs existing within the executive branch of the Federal Government. These numerous programs directed toward youth are for the most part aimed at either recruiting employees or informing young people of the agency from a public relations posture. Moreover, the findings of the Campus Task Force and the survey results reveal that despite the vast number of programs, an effective

governmentwide youth policy does not exist.

An excellent avenue for effecting change in Government-youth relations is an Council on Youth in the Executive Office of the President. Placement in the Executive Office will insure the Council's accessibility to the President. This factor is of prime importance in establishing a governmental mechanism that will provide timely and effective responses by an administration when the Council's recommendations for changes affecting youth are proposed.

The Youth Council will review and report on the impact of present and future Government policies and programs for young people. It will also be concerned with the interaction of youth and non-governmental institutions in our society.

The five members of the Council will serve as advisers to the President. We contemplate they will be members of the youth community and people close to youth who have an understanding and insight into young people and their needs. With the aid of a supporting staff, the Council members will analyze and relate to the President the needs and desires of America's youth. The Council will be active in recommending to the President national policies and programs for all segments of our Nation's youth.

Through the creation of such an organization which can serve in an oversight capacity and act as a spur to the administration, I feel that we have an outstanding atmosphere in which our youth will be proud to take their places as constructive citizens.

Mr. BIESTER. Mr. Speaker, today I join with two of my colleagues in the House introducing a bill to establish a Youth Council in the Executive Office of the President.

About 2 years ago, I had the pleasure of being part of a group of 22 colleagues which visited over 50 colleges and universities. We listened rather than lectured and came away most impressed and both concerned and hopeful. We learned that there is no single answer, nor any set of answers, to the problems faced by youth and by the whole society in working with youth. We did find, however, that we need significantly better communication with youth and more responsiveness on the part of Government to the views and needs of youth.

Some will no doubt say, "Why give such special attention to youth?" The answer is found in the size and impact youth has on society. Americans under 25 account for nearly one-half our entire population. More importantly, however, our youth represent the most important resource for the future health and prosperity of our Nation. These factors make it doubly important that the highest levels of Government have an up-to-date and constant input as to the needs of young Americans. The Congress and the President do not receive this continuing up-to-date input. A permanent Council on Youth will do much to bridge this gap and it will provide a mechanism for a continuing communication with youth—on campuses, in high schools, wherever young Americans work and live.

For the first time, we will have a mechanism to measure and evaluate the im-

pact of Government programs and policies on youth. It will be one of the primary functions of this Council to continually review present programs and recommend changes and improved methods of coordination among programs. The Council will also operate to review proposed programs and evaluate their impact on youth before the commitment is made to carry out the program.

It is my hope that my colleagues will join in supporting the establishment of the Council on Youth as an important step in insuring that lines of communication and cooperation between youth and Government remain open on a constant basis.

Mr. FREY. Mr. Speaker, I am today cosponsoring with my distinguished colleagues, Mr. STEIGER of Wisconsin and Mr. BIESTER, a bill to establish a Youth Council in the Executive Office of the President.

The three of us were part of a task force made up of 22 Republican Congressmen who traveled to 50 college campuses in May of 1969 to seek out the underlying reasons for campus unrest. Six of us met afterward to report our findings to the President.

Since that time, some of the members of that task force have continued to work together to have our recommendations adopted or enacted into law. A number of them have become law.

We called for the lowering of the voting age and reform of the draft. A statute has been passed to lower the voting age to 18, and a constitutional amendment was passed by the House to correct the constitutional problem caused by passage of the statute. The draft has been replaced by a lottery and President Nixon has recommended ending deferments. Moreover, the voluntary army concept is only a year or so away.

We also rejected repressive legislation against universities which penalize both the guilty and the innocent and the President and the Congress have refused to empower the Federal Government to police the Nation's campuses.

A Student Teacher Corps, which we recommended, has been established to provide the opportunity for youth to work with the disadvantaged.

Just recently, two other recommendations of the task force were implemented by the administration. A National Volunteer Agency, comparable to the National Youth Foundation, we recommended, has been created to expand opportunities for involvement and service by young people. In addition, the President has called for the creation of a national student loan program to ease the financial burdens of a higher education—another measure we proposed.

These accomplishments, we feel, have helped to reduce tensions and evidence to young people that we in the Congress realize that the vast majority are responsible, mature young persons who can and should make useful contributions to the society in which we live.

However, one of our principal recommendations—the establishment of a central office in the Federal Government to coordinate all national youth programs—has not received the serious consideration we had hoped for. The Youth Council that we are proposing would have two

major functions: First, with its locus in the White House, it would work with the Office of Management and Budget and others to review and coordinate all present youth programs; and, second, it would represent the views of young people in the consideration of future programs and policies which affect them.

For the past year, the Campus Task Force has made a study of all Federal policies and programs which pertain to youth. Youth, it should be noted, include young people in all walks of life—not just college students. After all, fully two-thirds of the under 25 age group are blue collar and white collar workers.

That study revealed that there are over 400 separate programs which have a direct and indirect effect on youth. The expansion of these programs and services has taken place without the needed analysis of their effects on young people, and how they mesh with other on-going programs. It was also apparent that youth is inadequately informed of its rights, obligations, and opportunities in Government.

Our campus tour revealed that young people today believe they have no effective impact on the processes which govern them. They feel a remoteness from those processes and believe their governmental leaders are isolated. Government, in their view, has become institutionalized in the hands of professionals, experts, and managers, whose decisions are governed by the laws of bureaucratic and professional behavior. Only organized interests, they feel, are represented; for example, labor unions, management, the military, and other vested interests in government. And since young people, as a group, are not organized and lack "political clout," they feel increasingly isolated.

The Youth Council that we propose would go far to remedy this situation. It would: First, provide better communication with youth; second, represent their views and interests in the processes of Government; and third, coordinate, review, and publicize existing youth programs.

The Youth Council in operation would be somewhat analogous to the Council on Environmental Quality. It would be located in the Executive Office of the President and composed of five members appointed by the President. Each member would be a person who is qualified to: First, analyze and interpret the needs and desires of youth; second, appraise programs and activities of the Federal Government as they relate to youth; and third, formulate and recommend national policies to promote the participation of youth in Government of our society. It is anticipated that two or more members of the Council would be under the age of 25.

Our legislation requires the President to transmit to the Congress beginning June 1, 1972, a report on youth which will set forth: First, current and foreseeable developments in the interaction of youth with the institutions of our society; second, a review of governmental programs and policies on youth; and third, a program for remedying difficul-

ties in existing programs and activities, together with legislative recommendations.

The principal duties of the Council will be to: First, assist the President in the preparation of the annual report; second, gather information concerning the developments in the interaction of youth with the institutions of society; third, continually review, critique, and advise the President on Federal programs and activities which effect youth; fourth, review and evaluate the impact on youth which regulations and legislation proposed by the various departments and agencies might have; fifth, develop and recommend policies and legislation on youth matters to the President; sixth, make such studies as the President shall recommend; and seventh, make an annual report to the President and the Congress.

#### GENERAL LEAVE

Mr. STEIGER of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to join me in my special order today.

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

There was no objection.

#### THE NEED TO CLARIFY THE PAKISTANI QUESTION

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 am sure that everyone who has been reading the newspapers and listening or watching media presentations of the civil war now raging in Pakistan has been left with a feeling that we are not getting the whole story about that conflict. All that we seem to get is that thousands of people are being killed in a conflict that does not make a lot of sense.

For that reason, I was grateful to receive and read two excellent background papers on this crisis, and I insert them into the RECORD following these remarks. The first is called "Conflict in East Pakistan: Background and Prospects," and it was written by three extremely knowledgeable members of the Harvard University faculty. The second is entitled "Pakistan: Background to Crisis," and it is a Ripon Society position paper.

It is becoming very clear to me that the United States cannot afford to become involved in this conflict. It would be easy to say that the present government of Pakistan has been our ally and we will stand by that government as it attempts to put down the insurgents from East Pakistan. Such a policy, I believe, would be a tragic mistake.

We should stop all U.S. military commitments and assistance to Pakistan, and we should carefully assess other nonmilitary assistance to insure that it does not result in giving West Pakistan a more favorable status in the present conflict. For example, we should explore the possibility of providing our promised wheat shipments for the Pakistani flood victims

through CARE supervision rather than the Pakistani Government.

Above all, ours should be a policy of noninvolvement in the present conflict in Pakistan. Such a policy, I believe, will improve our relations with a number of Asian and Middle Eastern nations.

The material referred to follows:

#### CONFLICT IN EAST PAKISTAN: BACKGROUND AND PROSPECTS

##### ABOUT THE AUTHORS

Edward S. Mason is Lamont University Professor Emeritus at Harvard University, and a former Dean of the Graduate School of Public Administration. He is a past-President of the American Economic Association, and a long-time advisor to the United States Government and the World Bank. In 1954-55 he directed an eight-man team that drew up the first development plan for Pakistan, and has had a long and continuing involvement with the problems of the development of Pakistan and other countries. Mr. Mason was most recently a member of the Petersen Commission on foreign aid appointed by President Nixon.

Robert Dorfman is professor of economics at Harvard University. He has been concerned with the problems of Pakistan development since 1961, when he became a member of the White House-Interior Team appointed by President Kennedy at the request of the then-President of Pakistan, Ayub Khan, to advise the Government of Pakistan on problems of water-logging and salinity. Mr. Dorfman has recently been a consultant to the World Bank on the development of the Lower Mekong River Basin.

Stephen A. Marglin is professor of economics at Harvard University. He has advised governments in Asia, Africa, and Latin America on problems of economic development, as well as the United States Government, the World Bank, and the United Nations.

##### I. SUMMARY

The independence of East Pakistan is inevitable. What started as a movement for economic autonomy within the framework of a united Pakistan has been irrevocably transformed by the wholesale slaughter of East Pakistani civilians into a movement that sooner or later will produce an independent East Pakistan—"Bangla Desh" is a matter of time. A complete discussion of the Pakistani question would include an analysis of cultural, linguistic, and social issues, which along with economics and politics, are at the heart of the present conflict. This paper has a more limited goal: to assess the economic and political bases of disaffection in East Pakistan and to suggest the likely implications for international relations of the break-up of Pakistan.

In brief, the fact of a large and widening gap in the average standard of living between the two regions of the country is incontestable. Even the West Pakistani-dominated Government admits that the average East Pakistani must make do with barely two-thirds the average income in the West, and he faces higher prices too. The East Pakistanis argue that income disparity is largely the result of a systematic subordination of the interests of the Eastern region to those of the West; specifically, the East Pakistanis charge that allocation of foreign exchange—both that earned by the export of East Pakistani jute and that provided by foreign aid—disproportionately favors West Pakistan; that allocation of domestic investment reinforces the income disparity; and that high tariffs and import quotas raise prices to East Pakistanis in order to provide profits and jobs in West Pakistan.

We believe that in the main the facts support these charges. Pakistan Government policies have at the very least exacerbated the inequalities that arise from an uneven

distribution of natural resources between the two regions, and a disproportionate share of the benefits of economic development have accrued to West Pakistan.

The political program of Sheikh Mujib's Awami League, overwhelmingly endorsed by the people of East Pakistan in the recent elections, sought to correct these disparities by transferring control over economic policy from the Central Government to the provinces. The response of the Yahya Khan's Government has been to unleash a reign of terror whose full dimensions are only gradually becoming known.

The West Pakistani Army can delay independence, but terrain and logistics, coupled with the implacable hostility of the East Pakistanis to what has become foreign domination, are on the side of "Bangla Desh". Apart from the elementary and overwhelming humanitarian interest in an end to further bloodshed, American interest lies with a quick rather than a slow realization of independence. Most important, tensions in South Asia will be reduced, Bangla Desh and India will develop mutually advantageous economic and cultural relations, a move long desired by both sides but frustrated by West Pakistanis who have refused to countenance any normalization of relations in the East as long as the Kashmir issue remains outstanding. The Kashmir issue too is likely to subside in importance, not because of any reduction in tension in the West—the Kashmir issue has never aroused much interest in the East—but because West Pakistan, without the economic support of the East, will be unable to sustain the level of pressure it has been able to mount until now. In short, Bangla Desh will be a truly independent state, ready and able to maintain normal relations with its neighbors and the powerful nations of both blocs, but a satellite or pawn of no one.

The independence of Bangla Desh will be inimical to American interests only insofar as American aid is used to delay the inevitable. Economic aid to the Pakistan Government should be immediately suspended. The "one-time" exception made last year to the embargo of arms sales and military aid (imposed after the Indo-Pakistani war of 1965) should be rescinded. American arms must not be supplied to a government that makes war on helpless civilians.

## II. U.S. ECONOMIC AND MILITARY AID TO PAKISTAN

Since 1951 Pakistan has been a major recipient of U.S. economic aid amounting to approximately \$3 billion<sup>1</sup> by 1969. Except for food aid donated under Public Law 480, the bulk of this assistance has been used to support industrialization in West Pakistan, with only a handful of projects undertaken in East Pakistan.

The quantum of U.S. military aid to Pakistan is a classified figure but two estimates<sup>2</sup> put it between \$1.5 to \$2 billion for the period between 1954 and 1965. The assistance has included F-104 Starfighters, Patton tanks, armored personnel carriers, automatic and recoilless infantry weapons. This impressive array of modern weaponry was given expressly<sup>3</sup> for defensive purposes. With Pakistan an early member of SEATO and CENTO this military aid was intended to bolster the armed containment of the Communist Bloc in the Dulles era of U.S. foreign policy but apart from the brief border war with India of 1965 the only active use of these sophisticated weapons has occurred against the unarmed and defenseless civilian population of East Pakistan.<sup>4</sup>

The growth and maintenance of the superstructure of the armed forces which was built up with massive U.S. military aid continued even after 1965 when the United States decided to put an embargo on the delivery of arms to both Pakistan and India. This was

made possible by diverting resources from the much needed development projects. East Pakistan, poorer and less powerful politically than the West, suffered more by this irrational policy.

Surprisingly, the United States has just recently (October 1970) made an exception to its embargo on military sales to Pakistan. According to the information available, the United States has offered to supply Pakistan the following items:

- (a) Armored personnel carriers (approximately 300)
- (b) Maritime reconnaissance aircraft (4)
- (c) F-104 jet fighters (6)
- (d) B-57 bombers (7)

Fortunately, no sales or deliveries have yet been made. It is not too late to rescind the offer, a move that would be of practical as well as symbolic value.

## III. ECONOMIC AND POLITICAL DOMINATION OF EAST BY WEST

The basic facts seem to support the East Pakistan charge of economic domination by the West. The economic disparities between East and West, Pakistan have been so serious for so long that the Pakistan government's highest planning authority has been forced to take official note of them.

A recent report<sup>5</sup> by a panel of experts to The Planning Commission of the Government of Pakistan provides authoritative documentation of the widening of economic disparities in the two regions. The most striking fact in this report is the widening gap between the income of the average West Pakistani and his Eastern counterpart. In 1959-60, the per capita income in West Pakistan was 32% higher than in the East. Over the next ten years the annual rate of growth of income of West Pakistan was 6.2% while it was only 4.2% in East Pakistan. As a result, by 1969-70 the per capita income of the West was 61% higher than in the East.<sup>6</sup> Thus in ten years the income gap doubled in percentage terms; it increased even more in absolute terms.

East Pakistanis blame three instruments of central government policy for their plight:

1. Pakistan's scant investible resources, plus foreign aid, are directed unduly to the development of West Pakistan—to the comparative neglect of East Pakistan.

2. In particular, East Pakistan's foreign trade earnings are diverted to finance imports for West Pakistan.

3. Economic policy favors West Pakistan at the expense of the East. Specifically, tariffs, import controls, and industrial licensing compel East Pakistan to purchase commodities from West Pakistan which, but for the controls, they could obtain more cheaply in world markets.

We believe the East Pakistani claims to be largely justified. First, it is indisputable that the bulk of public investment has been in West Pakistan though the majority of the population lies in the East. With 60% of the population, East Pakistan's share of central government development expenditure has been as low as 20% during 1950/51-1954/55, attaining a peak of 36% during the Third Five Year Plan period 1965/66-1969/70. East Pakistan has received an even smaller share of private investment, less than 25%.<sup>7</sup>

It may be true, as defenders of Pakistan government policy claim, that the great bulk of worthwhile investment opportunities have been in the West, though the relative attractiveness of the West may be more the effect of overall government policy than a cause. In any event the fact remains that investments in the West have done little or nothing for the people in the East.

As for the second point, it is clear that foreign exchange has been allocated to the detriment of East Pakistan. Over the last two decades East Pakistan's share of total Pakistan export earnings has varied between 50% and 70%, while its share of imports has been

in the range of 25% to 30%.<sup>8</sup> Until 1962/63 East Pakistan has shown significant surpluses on foreign account, which has changed in recent years to small deficits. By contrast the West's foreign trade has shown a substantial and chronic deficit that has absorbed virtually all foreign exchange made available through foreign aid.

With respect to the third point, general economic policy has clearly favored West Pakistan. The West's preponderant share of imports and investments might have provided in expensive necessities for all of Pakistan's people. In fact it has allowed the development of inefficient<sup>9</sup> industries, which, ironically, have prospered largely because of tariffs and quotas that have made East Pakistan a captive market. 40% of all exports of West Pakistan are sold to East Pakistan; in 1968/69 the West sold 50% more to the East than it bought from the East.

An analysis of foreign trade data reveals that a net transfer of resources has taken place from East to West Pakistan. According to the official report referred to above, East Pakistan has transferred approximately \$2.6 billion to West Pakistan over the period 1948-49 to 1968-69.<sup>10</sup>

In short, Pakistan's economic policies are harmful to East Pakistan. "Exploitation" may be a strong word, but it seems clear, all in all, that East Pakistan's economic interests have been subordinated to those of the West, and that the East Pakistanis have had good cause to resent that fact.

The economic domination of East Pakistan has been facilitated by West Pakistani dominance of the Central Government. The military regime in Pakistan has existed, with modifications, since 1958, and decisionmaking authority rests with a well-entrenched civil service and their military bosses. All senior military members of the administration have been West Pakistani, and of the senior officers in the Central civil services, 87% were West Pakistani in 1960,<sup>11</sup> and the proportion has not changed much since. The Deputy Chairman of the Planning Commission and the Central Finance Minister, key individuals in resource allocation, have always been West Pakistanis.

The location of the Central Government in West Pakistan has encouraged the concentration of industry and the entrepreneurial class in West Pakistan.<sup>12</sup> Such a concentration is to be expected in an economic system where direct allocational control of resources by the government makes direct access to government authorities a prime business asset.

## IV. BACKGROUND TO THE BREAK-UP OF PAKISTAN

The history of economic and political domination of East Pakistan by the West led naturally to increasing demands for provincial autonomy, spearheaded by Sheikh Mujibur Rahman's Awami League. Its 6-point platform for autonomy sought to transfer control over foreign trade, foreign aid allocation, and taxation powers to the provinces so that no province could be dominated through disproportionate control of the Central Government's powers over resource allocation.<sup>13</sup>

At the polls last December this Awami League platform swept 167 of the 169 seats in the National Constitutional Assembly that were allotted to East Pakistan. The Awami League's 167 seats constituted an absolute majority in a chamber of 313. The political and military powers of West Pakistan tried to pressure Sheikh Mujib into compromising on his 6-point autonomy mandate. In particular Zulfikar Ali Bhutto, leader of the West Pakistani People's Party which had won 80-odd seats in the elections, demanded that control of trade and aid should remain with the Central Government. When Sheikh Mujib refused to compromise on these instruments of past economic domination, Bhutto announced a boycott of the Constitutional Assembly sched-

Footnotes at end of article.

uled to meet on March 3. General Yayha Khan used this pretext to postpone the Assembly indefinitely. This arbitrary postponement provoked demonstrations in Dacca and other cities on March 1, which the military decided to control by force. The military authorities conceded 172 deaths in the disturbances (the Dacca correspondent of the *London Observer* put the figure nearer 2000).

Despite this bloody provocation the Awami League refrained from declaring independence. Instead they launched a campaign of civil disobedience to demand a return of troops to barracks and an enquiry into the fringes. The campaigns of non-cooperation effectively transferred civilian authority to Sheikh Mujib but even in the massive rally of March 7 Sheikh Mujib still spoke of a united Pakistan with autonomy for each province. His preparedness for negotiation and commitment to the unity of Pakistan was demonstrated by his continuation of talks for the next two weeks despite the well-advertised influx of West Pakistani troops. Indeed, in retrospect it would appear that the West Pakistani officials were never negotiating in good faith; negotiations were a way to forestall an open break until sufficient numbers of West Pakistani troops could be brought on the scene to unleash a terror whose full dimensions are only now becoming known. The Awami League's commitment to a peaceful political settlement was convincingly demonstrated by the complete lack of preparation of the civilian population to the onslaught<sup>14</sup> of military arms which was unleashed on them on the night of Thursday March 25.

#### V. INTERNATIONAL IMPLICATIONS OF AN INDEPENDENT "BANGLA DESH"

From news reports now available it would appear that the use of massive military fire power has broken the Awami League and its supporters in most urban centers. But control of urban centers are gun-point in a country where 90% of the population lives in rural areas hardly constitutes a framework for any effective government, let alone a popular one. The immediate prospect is for ruthless military rule in urban centers, with tenuous control over a countryside which is likely to become increasingly the base for armed guerilla resistance.

The base for such a movement clearly exists. The overwhelming support for the Awami League's demand for autonomy was clearly shown in the election results of December when 167 out of 169 seats allotted to East Pakistan were won by the League. As reports of military massacres<sup>15</sup> are carried by urban refugees to the rural areas, the democratically expressed sentiment for autonomy is likely to be converted to a militant desire for independence. It is possible that a West Pakistani army of occupation can suppress the Bengali nation for two months, six months, or a year, but the American experience in Vietnam illustrates only too painfully the impossibility of holding an entire population captive by force of alien arms alone.

The emergence of an independent Bangla Desh appears to be inevitable in the long run. What remains in question is how much blood will flow before it occurs. Politically it is clear that the longer it takes to achieve independence, the more likely it is that control of the independence movement will slip away from the moderate leadership of the Awami League to the more leftist National Awami Party (which did not contest the December elections).

Assuming that the independence movement succeeds while under Awami League control, certain predictions may be made about its relations with neighbors and superpowers. As expressed in public statements of Sheikh Mujib, an independent Bangla Desh will establish friendly relations with India and set up economic trade to their mutual advantage. Up to now such trade—and all cultural ties—have been frustrated by the

West Pakistanis who dominate the Central Government. They believe that, short of war, their only lever to force a settlement of their Kashmir claim is the economic interest of India in trade with East Pakistan. By contrast, East Pakistan has never been aroused by Kashmir, and in the 1965 war no military activity took place within its borders. Strong linguistic and cultural ties with the state of West Bengal in India are likely to help cement durable good relations between the two countries and reduce tension in the area. Unable to share the burden of military expenditures with the East, West Pakistan is bound to tone down its policy of confrontation with India, a confrontation which for the past 24 years has diverted scarce resources of both these poor, populous countries from much needed economic development to defense.

As an independent nation Bangla Desh might conceivably establish marginal economic contacts with Communist China. But these are unlikely to be any greater than the current scale of trade and aid between China and Pakistan, and will certainly be less than the likely range and depth of East Bengal's economic ties to neighboring India. As long as India is the main trading partner (and both pronouncements of Awami League leaders and the economic geography of the region support this possibility), it is unlikely that Bangla Desh will become a satellite of Communist China.

The U.S.S.R. has in the past three years become an active patron of the military clique that controls Pakistan. Soviet aid has included considerable economic aid (including agreements for a steel mill in West Pakistan) and some military aid. The Soviet initiative has been largely a response to growing Communist Chinese ties with Pakistan. This competition between rival giants has rebounded to the benefit of West Pakistan where the central government and military establishment are based. The U.S.S.R. has not been sensitive to the aspirations of East Pakistanis in the past, and is unlikely to make a new Bangla Desh an arena for superpower competition for influence.

A major goal of U.S. foreign policy in this area has been the reduction of the debilitating confrontation between India and Pakistan. This goal will surely be advanced by the existence of an independent Bangla Desh friendly to India. Most observers believe that the Awami League leadership will follow a neutral foreign policy, particularly if the U.S. and multilateral aid agencies like the World Bank are the major aid donors.

Bengali independence will be inimical to American interests only if by following shortsighted policies we drive East Pakistan into the arms of another power—the U.S.S.R. or China. To the extent that Bengali independence is delayed by means of American arms, the image of the United States will suffer, and rightly so. The offer of arms to Pakistan by the United States Government in October 1970, whatever its ostensible purpose, will, if implemented, oil a Pakistani military machine that is making war on its own citizens. The United States Government must rescind this offer forthwith. No further military aid, or economic aid—which directly or indirectly provides foreign exchange that makes it possible to buy weapons abroad—should be given to West Pakistan until it withdraws its occupation force from East Bengal and recognizes the independence of the Bengali nation.

#### FOOTNOTES

<sup>1</sup> Stern, J. J. and Falcon, W. P., *Growth and Development in Pakistan 1955-69*, Occasional Paper No. 23, Harvard Center for International Affairs, April 1970; M. A. Sattar, *United States Aid and Pakistan's Economic Development*, unpublished Ph. D. dissertation, Tufts University, 1969.

<sup>2</sup> *New York Times*, September 28, 1964; Frank N. Trager, "United States and Pakistan," *Orbis* Vol. IX, Fall 1965, No. 3.

<sup>3</sup> Formal agreement signed May 1954, reported in Department of State Press release, *Department of State Bulletin*, May 31, 1954, pp. 850-851.

<sup>4</sup> *Washington Post*, March 30; *New York Times*, March 29 and March 30. These contain eyewitness accounts by correspondents of use of U.S. supplied tanks.

<sup>5</sup> *Reports of the Advisory Panels for the Fourth Five Year Plan 1970-75*, Vol. I; Planning Commission, Government of Pakistan, July, 1970.

<sup>6</sup> *Ibid.*, p. 2, Table 1. As the report notes these estimates of disparity are understated because of a lack of adjustment in the basic official data for the generally higher prices which prevail in East compared to West.

<sup>7</sup> *Ibid.*, p. 6, table 2.

<sup>8</sup> Total foreign exchange available for imports is made up of export earnings and foreign aid. All data on trade are compiled from official statistics issued by the Central Statistical Office, Government of Pakistan.

<sup>9</sup> Lewis, Stephen R., *Pakistan: Industrialization and Trade Policies*, O.E.C.D., Oxford University Press, 1970.

<sup>10</sup> Planning Commission, *op. cit.*, app. 3.

<sup>11</sup> Rahman, A., *East and West Pakistan: A Problem in Political Economy of Regional Planning*, Occasional Paper No. 20, Harvard University Center for International Affairs, 1968. By 1966, among all Class I officers in the Central Government East Pakistan's share was only 20 per cent.

<sup>12</sup> Papanek, G. F., *Pakistan's Development: Social Goals and Private Incentives*, Harvard University Press, 1967.

<sup>13</sup> The Six Points are:

(1) Establishment of a federation "on the basis of the Lahore Resolution and the Parliamentary framework of government with supremacy of legislature directly elected on the basis of adult franchise."

(2) Federal government shall deal with only two subjects, that is, defense and foreign affairs, and all other residuary subjects should rest in the federating states.

(3) There should be either two separate but freely convertible currencies for the two wings or one currency for the whole country provided that effective constitutional provisions were made to stop the flight of capital from East to West Pakistan. There should be separate banking reserves and a separate fiscal and monetary policy for East Pakistan.

(4) Denial to the Central Government of the right of taxation; vesting of tax provisions in the hands of the federating states with the Central Government receiving a fixed share.

(5) Foreign trade; Five steps shall be taken:

(a) There shall be two separate accounts for foreign exchange earnings.

(b) Earnings of East Pakistan shall be under the control of East Pakistan and the same for West Pakistan.

(c) Foreign exchange requirements of the federal government shall be met by the two wings either equally or in a ratio to be fixed.

(d) Indigenous products shall move free of duty within the two wings.

(e) The constitution shall empower the unit governments to establish trade and commercial relations with, set up trade missions in and enter into agreements with foreign countries.

(6) Set up a militia or para military force by East Pakistan.

<sup>14</sup> Preplanned according to reports by foreign correspondents, e.g. Sydney Schanberg in *New York Times*, March 26-29.

<sup>15</sup> The eyewitness account of a British correspondent in *Washington Post* March 30 leaves no doubt about the appropriateness of the word "massacre".

#### PAKISTAN: BACKGROUND TO A CRISIS

(NOTE.—This paper was reviewed for the Ripon Society by a committee consisting of

J. Lee Auspitz, President, Ripon Society; Stephen A. Marglin, Professor of Economics, Harvard University; Gustav F. Papanek, Lecturer on Economics and former Director, Development Advisory Service, Harvard University.

#### I. HISTORY OF ECONOMIC AND POLITICAL DOMINATION OF EAST PAKISTAN

In many ways East and West Pakistan have never been one country. Even at its strongest, the bond between East and West Pakistan was somewhat tenuous. They are physically more than 1,000 miles apart, the people speak different languages, have different cultures and different economies. They have in common religion, a short history, and the same central government.

Since the formation of the state of Pakistan 24 years back, the East Bengalis have derived little benefit from the association other than a limited sense of security that the Hindu landlords would not be able to return and repossess the land.

It has become increasingly apparent that the economic and political interests of the East Pakistanis have been systematically subordinated to those of West Pakistan. Even the Central Government's highest planning authority was forced to take official notice of the widening economic disparities between the two religions. A recent report<sup>1</sup> by a panel of experts to the Planning Commission of the Government of Pakistan showed that, while average (per capita) income in the West was 32% higher than in the East in 1959-60, the disparity had almost doubled to 61% ten years later in 1969-70.<sup>2</sup>

The Central Government's instruments of tariffs, import controls, industrial licensing, foreign aid budgeting, and investment allocation have been used to direct investment and imports to develop high-cost<sup>3</sup> industries in West Pakistan whose profitability is guaranteed by an East Pakistan market held captive behind tariff walls and import quotas. Though 60% of all Pakistanis live in the East, its share of Central Government development expenditure has fluctuated between a low of 20% during 1950/51-1954/55 and a high of 36% in the period 1965/66-1969/70.<sup>4</sup> East Pakistan's share of private investment has averaged less than 25%. Historically, 50% to 70% of Pakistan's export earnings have been earned by East Pakistan's products, mainly jute, hides and skin. Yet its share of foreign imports (which are financed by export earnings and foreign aid) has remained between 25% and 30%.<sup>5</sup> Basically, the East's balance of payments surplus has been used to help finance the West's deficit on foreign account leading to a net transfer of resources, estimated by an official report<sup>6</sup> to be approximately \$2.6 billion over the period 1948/49 to 1963/69.

The subordination of the East's economic interests has been accomplished by the overwhelming concentration of governmental authority in the hands of West Pakistanis.

After the military regime of Ayub Khan took power in 1958, the East has had little political representation in the Centre. Only cooperative Bengalis were appointed to political office, and in the powerful Civil Service, Bengalis held only a small fraction of the positions. Under-representation of Bengalis in the army was even more severe, believed to be 10% or less. Ayub Khan, against whom the Bengalis had voted heavily in 1965, was forced to resign because of widespread unrest in both East and West, culminating in demonstrations and strikes in 1969. Since taking power in the Spring of 1969, Yahya Khan's martial law regime has always spoken of itself as an interim government to be replaced after popular elections. In the economic and social spheres, the army made no innovations. However, the military did take one positive step: they held free and fair elections in December of 1970, both for a

Constituent Assembly and for Provincial Assemblies.

These elections were based on "one man, one vote;" this meant that in the Constituent Assembly the East was allotted roughly 55 percent of the seats. Two parties dominated the elections. In the East, Sheikh Mujibur Rahman's party, the Awami League, won 167 out of 169 seats for the Constituent Assembly; in the West, Zulfikar Ali Bhutto's party won approximately 80 out of 140 seats. The Awami League actually had sufficient seats to be a majority in the Constituent Assembly.

The Awami League ran on a single issue, autonomy<sup>7</sup> for East Pakistan. Until the shooting began on March 25, they did not seek independence but a loose union with the West. While on paper they had the votes to dominate a strong central government they presumably felt they could not, in fact, dominate, given that the military, the civil service, and the large businesses were all in the hands of West Pakistanis.<sup>8</sup> Therefore, they opted for a form of government which would give them control over what they considered their essential interests. The established interest groups in the West, particularly the military whose budget was threatened and large businesses who stood both to lose markets and the foreign exchange earnings of the East, opposed autonomy for the East.

When it was clear that the East would not compromise on its demand for autonomy, President Yahya Khan postponed the Constituent Assembly scheduled for March 3, resulting in demonstrations in which hundreds of people died in army firing on March 1. Despite this provocation, Sheikh Mujib kept the door for negotiations open. General Yahya Khan appeared to respond by holding talks for two weeks with the Awami League leadership. In retrospect, this appears to have been a ploy to buy time for reinforcing the West Pakistani armed forces in the East. On March 25, the military authority outlawed the Awami League, arrested its leaders, and opened fire with tanks, artillery, and automatic weapons (much of it supplied by the U.S.) on the defenseless and unarmed civilians.<sup>9</sup>

The military's approach appears to be to intimidate the urban population through a reign of terror. Killing and destruction apparently have been indiscriminate. Reports on the number killed in the first three days ranged from 15,000 up.

In the short run the army can intimidate the people of the major cities. But it cannot even now control any substantial part of the countryside. In the long run the military position is untenable. In a hostile environment and given the logistical problems, maintaining even the 60,000 West Pakistani troops now in the East, will be difficult. Moreover, the military cannot possibly guard the borders or prevent the Bengalis from acquiring arms with which to resist.

The Bengalis have now declared themselves independent and have the will to fight. In the end, they will win; the only question is time, how many deaths, and how much destruction must take place before they achieve their independence.

The recent elections provided East Pakistan with a political party capable of governing. Rather than a civil war, the present action is more of an invasion of one state by the military of another, with the aim of overthrowing a duly elected government and subjugating the people.

#### II. AN INDEPENDENT EAST PAKISTAN IN THE INTERNATIONAL COMMUNITY

Bangla Desh, the name chosen by East Pakistanis for their desired nation, is bound to establish good relations with India. Apart from the cultural bonds of a common language—Bengali—between East Pakistan and the state of West Bengal in India, interest in strong economic ties coincides. The indus-

trialization of East Pakistan would be greatly facilitated by the nearby supply of coal and iron ore in West Bengal. Even for agricultural growth, much of the investment to improve water control would have to be undertaken in India, presumably as cooperative ventures, likely with World Bank support. India would benefit not only from water control but also from direct access to the East Pakistan market, and incidentally by the improvement of access to Assam. Historically, in spite of evident mutual interest in regularizing cultural and trade relationships between India and East Pakistan, such a development was consistently discouraged and resisted by the West Pakistani-dominated government. Specifically, the West Pakistanis believed that, short of war and victory, they have no other lever to force a settlement of the Kashmir claim but the economic interest of India in resuming trade in the East.

An independent Bangla Desh may set up minor economic ties with China, but these are likely to be much less than the current scale of trade and aid between China and Pakistan. The chance of international links between China and Bangla Desh are likely to increase the longer the independence struggle takes to achieve its goal, since its control may, over time, slip from moderate Awami League leadership to more militant and leftist elements such as the National Awami Party (which did not contest the December elections).

In recent years U.S.S.R. has competed with China for influence over the West Pakistani-dominated Central Government, using the levers of economic and military aid. In its newly established relationship the Soviet Union's contacts have been confined to the military regime in West Pakistan. Though it is hard to predict the Soviet attitude towards an independent Bangla Desh, ties with the Soviet Union are unlikely to be any stronger than with China.

#### III. UNITED STATES POLICY: PAST AND FUTURE

The likely pattern of United States relations with Bangla Desh depends crucially on U.S. policy in the current crisis—particularly with regard to the decisions on economic and arms aid to the Central Government in West Pakistan. To appreciate possibilities for U.S. policy, a little history is helpful.

Since the early 1950's when Pakistan joined mutual security pacts of SEATO and CENTO, she has received massive economic and military aid from the United States. By 1969 economic aid amounted to about \$3 billion and military aid, a classified number, has been estimated to have been between \$1.5 and \$2 billion. This assistance has included F-104 Starfighters, F-84 Sabre jets, C-130 transports, Patton tanks, armored personnel carriers, heavy artillery, and automatic weapons. This arsenal of sophisticated equipment was explicitly intended for defense, and in terms of the context in which they were provided, the Communist Bloc was seen as the potential aggressor. After the 1965 Indo-Pakistan border war, when the U.S. imposed an arms embargo on both countries, the Pakistan government turned for support to another adversary of India, i.e., the People's Republic of China.

The Pakistani initiative was sympathetically received by China, presumably not so much because of the Sino-Indian conflict but because it represented a breach in SEATO and CENTO. The growth of Chinese military and economic aid spurred similar offers from the Soviet Union, anxious to get into the act of weaning Pakistan away from its military alliances with the Western powers. Perhaps because the United States still believed it could compete for influence with Pakistan through arms sales, or perhaps due to the sheer momentum of long and close ties be-

Footnotes at end of article.

tween the Pentagon and the military superstructure in Pakistan, attempts to circumvent the arms embargo gathered strength in 1967. Attempts were made to persuade "third countries"—West Germany and Turkey—to sell arms previously provided by the U.S. to Pakistan for nominal prices, with the assurance that the U.S. would replace these weapons with newer equipment.<sup>10</sup> Though this particular move of the Johnson Administration was frustrated by the unwillingness of any suitably equipped third country to go along with the arrangements, in October 1970 the Nixon administration offered to sell Pakistan certain items including a squadron of F-104 Starfighters, a squadron of F-104 Starfighters, a squadron of B-57 bombers,<sup>11</sup> and about 300 armored personnel carriers.

Viewed from the United States, the emergence of an independent Bangla Desh friendly to India is likely to aid the long-term U.S. foreign policy goal of reducing conflict and tension on the Indian sub-continent. The issue of Kashmir, a matter on which East Pakistan has never been aroused, will continue to divide India and West Pakistan. But as a separate entity, West Pakistan is unlikely to have the capacity to continue the long and costly confrontation with India, which has sapped the scarce resources of both these poor countries.

An independent East Pakistan will probably follow a moderately pro-Western policy, which may be consolidated with the provision of aid by U.S. and multilateral agencies. But if the struggle for independence is prolonged by the continuation of U.S. aid to the Pakistan government, the damage to the United States' image and the rise to power of leftist elements in the independence movement will both frustrate the development of friendly relations with the U.S. Eyewitness reports in the *Washington Post* and *New York Times* confirm that American arms are now being used, along with Russian and Chinese, to establish a reign of terror in East Pakistan. The American Government must not be party to the killing of defenseless civilians or the forcible repression of the struggle by East Pakistanis for control over their own lives. Since the agreements under which the arms were given limit their use for defensive purposes, the U.S. certainly has a basis to protest their use for massacring unarmed civilians.

Continuing military and economic aid is not neutrality in this matter. In the current situation, all aid is bound to flow to the government in West Pakistan. At the very least, the United States should prevent deliveries under the October 1970 arms offer, avoid all further arms deals, and cut off economic aid to Pakistan. Such action, together with moral and diplomatic pressure, could bring an end to hostilities and lead to early institution of democratic government.

## FOOTNOTES

<sup>1</sup> *Reports of the Advisory Panels for the Fourth Five Year Plan 1970-75*, Vol. I, Planning Commission, Government of Pakistan, July, 1970.

<sup>2</sup> Planning Commission, *op. cit.*, p. 2.

<sup>3</sup> Soligo, R. and Stern, J. J., "Tariff Protection, Import Substitution, and Investment Efficiency." *Pakistan Development Review*, Summer 1965. This demonstrates the inefficiency of nearly all industries.

<sup>4</sup> Planning Commission, *op. cit.*, p. 6.

<sup>5</sup> *Foreign Trade Statistics*, various issues, Central Statistical Office, Government of Pakistan.

<sup>6</sup> Planning Commission, *op. cit.* Appendix III.

<sup>7</sup> The Six-Point autonomy program of the Awami League is—

(1) Establishment of a federation "on the basis of the Lahore Resolution and the Parliamentary framework of government with supremacy of legislature directly elected on the basis of adult franchise."

(2) Federal government shall deal with only two subjects; that is defense and for-

eign affairs and all other residuary subjects should rest in the federating states.

(3) There should be either two separate but freely convertible currencies for the two wings or one currency for the whole country, provided that effective constitutional provisions were made to stop the flight of capital from East to West Pakistan. There should be separate banking reserves and a separate fiscal and monetary policy for East Pakistan.

(4) It denies the centre the right of taxation and vests it in the hands of the federating states with the centre receiving a fixed share.

(5) Foreign trade: Five steps—

(a) There shall be two separate accounts for foreign exchange earnings.

(b) Earnings of East Pakistan shall be under the control of East Pakistan and the same for West Pakistan.

(c) Foreign exchange requirements of the federal government shall be met by the two wings either equally or in a ratio to be fixed.

(d) Indigenous products shall move free of duty within the wings.

(e) The constitution shall empower the unit governments to establish trade and commercial relations with, set up trade missions in, and enter into agreements with foreign countries.

(6) Setting up a militia or para-military force by East Pakistan.

<sup>8</sup> Papanek, G. F. *Pakistan's Development: Social Goals and Private Incentives*, Harvard University Press, 1967.

<sup>9</sup> The *Washington Post*, March 30, gives a graphic account of the massacres committed with the use of armored units in Dacca, the regional capital of East Pakistan.

<sup>10</sup> Bowles, Chester, *Promises to Keep: My Years in Public Life 1941-1969*, p. 521, Harper, and Row, 1971.

<sup>11</sup> Bowles, *op. cit.*, p. 522.

## VOTING RECORD OF MR. HOGAN

The SPEAKER. Under a previous order of the House, the gentleman from Maryland (Mr. HOGAN) is recognized for 5 minutes.

Mr. HOGAN. Mr. Speaker, on October 8, 1970, I placed in the CONGRESSIONAL RECORD a condensation of my voting record for the 91st Congress to that date. At this time, I insert in the RECORD an addendum to my voting record which contains those votes taken during the "lame duck" session of the 91st Congress:

## ADDENDUM TO VOTING RECORD OF HON. LAWRENCE J. HOGAN FOR 91ST CONGRESS, POST-ELECTION SESSION

Passed (P) or Defeated (D) by the House of Representatives (Reflects House action only; measures may or may not have been enacted into law).

## AGRICULTURE

## Voted

Against conference report on the Agriculture Act which included a limit of \$55,000 in subsidy payments per farmer per crop on wheat, feed grains and cotton. (P)

For recommittal to Committee of bill authorizing amending marketing orders for milk and potato research and promotion programs. (P)

Against authorizing amending marketing orders for agricultural commodities including milk to provide for product research promotion and advertising; also a national research and promotion program for potatoes. (P)

For the Plant Varieties Protection Act to encourage the development of varieties of plants. (P)

Against conference report on legislation authorizing promotion of various agricultural products. (P)

## CIVIL RIGHTS

## Voted

For authorization of funds for the Civil Rights Commission. (P)

## CRIME

For exempting .22 cal. rimfire ammunition from the recordkeeping provisions of the gun control law. (P)

## DISTRICT OF COLUMBIA

## Voted

For D.C. Revenue Bill, extending borrowing authority of the D.C. Government and increasing annual federal payment to D.C. to \$120 million. (P)

## EDUCATION

## Voted

For a comprehensive manpower training bill, including a program of public service employment. (P)

Against the conference report on the Manpower Training bill due to unacceptable changes by House-Senate Conference Committee. (P)

For postponing consideration of the School Transportation Aid bill until 92nd Congress. (D)

For a program of aid to school districts to help them meet special problems incident to desegregation and the elimination, reduction or prevention of racial isolation. (P)

## ECONOMICS AND ECONOMIC DEVELOPMENT

## Voted

For opening the Foreign Trade Bill up for amendment on the floor of the House. (D)

Against the Foreign Trade Act which provided import quotas on textiles, footwear and other commodities. (P)

For a nongovernmental Securities Investors Protective Corporation to assess broker dealers for a fund to protect customers in case of broker-dealer financial insolvency. (P)

For the conference report on bill which would apply the Federal regulations governing multi-bank holding companies to one-bank holding companies also. (P)

For federal railroad loan guarantees to keep the bankrupt Penn Central Railroad from ceasing operations. (P)

For exclusion of Export Import Bank receipts and disbursements from the U.S. budget. (D)

## FOREIGN AID

## Voted

For supplemental foreign aid authorization bill, including aid for Cambodia. (P)

For supplemental appropriation bill for fiscal 1971, including funds for Cambodia, Korea and military credit sales to Israel. (P)

For conference report on the fiscal 1971 foreign aid appropriation bill. (P)

## GOVERNMENT OPERATIONS/GOVERNMENT

## EMPLOYEES

## Voted

For additional authorization for the Smithsonian Institution in Washington, D.C. (P)

For conference report on bill providing for revision in the pay system for prevailing wage rate federal employees. (P)

For including Federal firefighters within the provisions of Federal retirement law as pertains to employees engaged in certain hazardous occupations. (P)

For conference report on bill to change the system for granting pay increases to federal classified employees, basing annual pay increases on comparability with private industry wage rates. (P)

## HEALTH/WELFARE/SAFETY

## Voted

For an expanded and improved Federal program of family planning services and population research activities. (P)

For amending the Occupational Health and Safety Act to create a five member board ap-

pointed by the President to set job safety and health standards, and a three member commission, Presidentially appointed, to enforce these standards. (P)

For the Occupational Health and Safety Bill, so amended. (P)

For a program of federal grants to medical schools and hospitals to encourage and promote the training of family doctors. (P)

For extending the food stamp program, with the requirements that participating states partially finance the program and able-bodied adults register and take available jobs as a condition to eligibility for food stamps for household. (P)

For conference report on the Occupational Health and Safety Bill which provided Labor Secretary authority to set health and safety standards, with enforcement function in the hands of a separate commission. (P)

For recommendal of the conference report on the food stamp bill to the conference committee. (P)

#### LABOR

##### Voted

Against adding a pay increase feature to the resolution which called for a temporary prohibition until March 1, 1971 of strikes or lockouts in the railway labor dispute. (P)

For the resolution calling for a temporary prohibition of a railroad strike, as amended to provide the above wage increase provisions. (P)

For conference report on the resolution providing for a temporary prohibition against a railroad strike. (P)

#### MILITARY AND SECURITY

##### Voted

For educational assistance to wives and children, and home loan benefits to wives of Prisoners of War and Missing in Action servicemen. (P)

For resolution expressing the sense of Congress that whenever feasible there should be Presidential consultation with Congress before U.S. troops are involved in armed combat. (P)

For resolution expressing support for efforts to rescue American POWs in North Vietnam. (P)

For Defense Department Appropriation bill for FY 1971. (P)

For conference report on military construction authorization bill. (P)

For conference report on Defense Appropriations Bill for FY 71. (P)

For second conference report on Defense Appropriation Bill for FY 71. (P)

#### PUBLIC WORKS

##### Voted

For the Federal-Aid Highway Act, including provisions designed to force further construction of D.C. freeways. (P)

For conference report on Federal Aid Highway Act. (P)

#### TAX LEGISLATION

##### Voted

For bill to postpone reductions in excise taxes on autos and on telephone service, and to speed up collection of estate and gift taxes. (P)

#### MISCELLANEOUS

##### Voted

For bill authorizing funds through FY 1971 for the American Revolution Bicentennial Commission. (P)

For \$17.7 billion HUD-Independent Offices appropriations bill, to replace that bill which was vetoed by the President. (P)

To extend the authority of the Housing and Urban Development Act. (P)

For deletion of funds for Supersonic Transport from the Transportation Appropriation Bill. (D)

For the conference report on the Transportation Appropriation Bill, including funds for the Supersonic Transport. (P)

For a three-year reprieve for the "Delta Queen" to allow this Mississippi River passenger boat to continue in operation. (P)

For resolution ordering the Public Printer to print and distribute an official report of the House Committee on Internal Security listing various radical-type campus speakers. (P)

Against the conference report on Housing and Urban Development Authorization Bill. (P)

For defraying part of the cost of expanding the United Nations headquarters in New York. (P)

Against withholding the contribution for expanding the United Nations headquarters until such time as the delinquent dues of all member nations are paid in full. (D)

For authorizing appropriation of not more than \$20 million as a U.S. grant toward expanding the U.N. headquarters in New York. (P)

Against providing retiring Speaker John McCormack with an office and paid staff for two years. (P)

For return to the Senate of papers concerning the disposition of funds appropriated to pay judgments in favor of the Mississippi Sioux Indians. (P)

For a closed rule prohibiting amendments on the floor when considering a resolution to continue appropriations for the Department of Transportation. (P)

For continuing appropriations resolution permitting the Transportation Department to spend through March 30, 1971, at a \$2.6 billion annual level, including funds for the Supersonic Transport. (P)

#### ENDANGERED SPECIES CONSERVATION ACT OF 1969

The SPEAKER. Under a previous order of the House, the gentleman from Georgia (Mr. BLACKBURN), is recognized for 5 minutes.

Mr. BLACKBURN. Mr. Speaker, reflecting upon the achievements of the 91st Congress, I am sure many of my colleagues would agree that not all was done that could or should have been done in the area of conservation. Nonetheless, it is most reassuring to learn of the effectiveness of the action that we did take. One such happy instance was recounted recently in the Christian Science Monitor. The article noted that—

The Florida Everglades, other swampy regions, and islands off the South Carolina coast now are seeing alligators again due to tougher conservation laws.

Among those tougher conservation laws which are helping the alligator to make a comeback is an amendment to the Endangered Species Conservation Act of 1969 which prohibits the interstate shipment of alligator hides. We certainly can be proud of that act and of the cooperation it generated at other levels of government. Both New York State and New York City, for example, have passed laws banning the sale of alligator products.

Sound legislation, when implemented, can produce impressive results.

Sound legislation, when ignored, can be frustrating, embarrassing, and disastrous.

The Endangered Species Conservation Act of 1969, unfortunately, fits the second circumstances as well as the first.

Section 5(b) of the act called for the Secretary of the Interior, "through the Secretary of State" to "seek the convening of an international ministerial meet-

ing on fish and wildlife prior to June 30, 1971." The purpose of the meeting is to assure the worldwide conservation of endangered species.

Mr. Speaker, to date, no such conference has been called, nor has the setting of a proposed date for such a meeting been publicly announced. Therefore, I am today introducing a joint resolution which, once again, instructs the Secretary of the Interior, "through the Secretary of State," to call an international ministerial meeting on the conservation of fish and wildlife as early as possible. At the latest, the conference would be held by October 1, 1971.

I quoted from a recent Christian Science Monitor article to show the effectiveness of the Endangered Species Conservation Act. At about the same time, the Monitor carried another item which pointed up the need to apply all provisions of that act—including the convening of the international conference. The article related that—

The Mediterranean nun seal is disappearing from its Sardinian breeding grottoes. Fulco Pratesi of the Italian Association for the World Wildlife Fund expresses fear that the species may be extinct soon.

A year ago naturalists here estimated that about 15 still sought haven in their favorite grotto. Mr. Pratesi says the number is believed to have dropped to seven—six adults and one young, indicating a virtual end to breeding.

Mr. Speaker, I realize that any conference may have been too late to save the nun seal, but such a conference may well help to save other species whose plight is not yet so hopeless as that of this rare seal.

Last year the head entomologist of Honolulu's Bishop Museum, Dr. J. Linsley Gressitt, stated that one-third of Hawaii's native birds already are extinct and another third may follow.

There is growing evidence that the ivory billed woodpecker has become all but extinct in this country.

Tourists are causing inroads on the numbers of exotic creatures found on Darwin's enchanted islands, the Galapagos.

In Scandinavia, the total population of wolves is thought to number little more than a few dozen.

Perhaps, Mr. Speaker, by our actions we can assure that the intent of this body in passing the Endangered Species Conservation Act will be carried out. And in carrying out that intent, perhaps we can prevent the shortening of the roll of world wildlife.

#### OCCUPATIONAL EDUCATION ACT OF 1971

The SPEAKER. Under a previous order of the House, the gentleman from Minnesota (Mr. QUIE) is recognized for 20 minutes.

Mr. QUIE. Mr. Speaker, I am today introducing a bill entitled the "Occupational Education Act of 1971." In my judgment this is an important bill because it addresses itself to vital but unfulfilled needs in America's educational system. Moreover, while the administration shares the concerns which this bill reflects and has been exploring with care the possibilities for further Federal legis-

lation in this field, this bill is a congressional initiative. We developed it after full consultation with representatives of such organizations as the American Vocational Association, the American Association of Junior Colleges, the American Association of State Colleges and Universities, and the United Business Schools, Inc.

President Nixon in his recommendations on general and special revenue sharing and in his recommendations for the reorganization of the executive branch has opened new doors to more effective administration of Federal programs in education and presented new ideas for financing them. While making these proposals, the President has at the same time been careful to delineate a vigorous Federal role in promoting such interests as education, including the use of categorical State-grant programs where those are the most effective means of producing the desired result. The bill I have today introduced would complement—not contradict—the President's proposals.

This bill deals with two extremely important aspects of occupational education which require a new Federal initiative if we are to achieve vital national goals. The first is post-secondary occupational education which is not designed to lead directly to a baccalaureate degree, but rather to lead directly to a job. Although some such programs have been supported in recent years in a wide variety of post-secondary institutions under the Vocational Education Act, we lag far, far behind our needs for such education in every State in the Union; in some States it is scarcely available at all.

The second thing with which this bill deals is the increasingly urgent matter of infusing occupational education and counseling into the regular elementary and secondary school system on an equal footing with traditional academic education. We attempted to approach this through the 1968 Vocational Education Act, and that attempt may yet prove very helpful—but vocational education funds—including State and local funds—are no more than 4 percent of the total annual expenditures for public elementary and secondary schools. This does not provide much leverage in making fundamental changes of attitude and direction in such schools. We are, therefore, seeking in this bill yet another approach—another handle—to the problem. This bill would involve general educators, vocational educators, postsecondary occupational educators, and higher education in a cooperative effort to effect change.

Change of the kind this bill seeks is long overdue in American education. The basic statistics relating to post-secondary occupation—without embellishment or elaboration—tell a bleak story of unmet needs and neglected opportunities. There are 28 million persons in the 16- to 24-year-old population, of whom fully 16 million are in the civilian labor force, yet our existing training capacity for the occupational preparation of this population, beyond the high school level, is only about 2 million enrollments—or one in

16 for the total age group and one in eight for the actual work force. This is terribly inadequate to meet our needs—and it is all the more so when examined more closely and existing programs are compared with emerging manpower needs in technical fields and subprofessional occupations in a wide variety of medical, social, and educational services.

At the post-secondary level the largest resource by far happens to receive virtually no public support aside from a relatively small amount of student assistance: this is the group of accredited, proprietary—private enterprise—trade, technical, and business schools which enroll about 1,200,000 students. The next largest group of enrollments are in the post-secondary occupational curriculums supported in a wide variety of public institutions under the Vocational Education Act; these number about 700,000, of which less than one-third are in the health and technical occupations. Another 175,000 enrollments are in our organized apprenticeship programs, which are both excellent and far too few. Perhaps a few thousand more places may exist in organized programs conducted by industry—although this is doubtful since many of the accredited proprietary institutions mentioned above are owned and operated by major corporations. This is the sum total of the Nation's capacity in post-secondary occupational education and it is disastrous when compared to our obvious needs.

In fact, a persuasive case could be made that important national thrusts in the last 10 years for the development of human resources has been seriously inhibited by the lack of training capacity for the development of subprofessional personnel in health, education, and social services. For example, enactment of title I of the 1965 Elementary and Secondary Education Act—dealing with disadvantaged children—created a vast new demand for trained teacher aides for which we had virtually no capacity to meet other than on a catch-as-catch-can ad hoc basis. I am convinced that this fact alone accounts for our failure to make more effective use of title I funds. Incidentally, we still have very few organized programs for training subprofessional people in education. Numerous other examples can be cited.

Time after time in place after place, speaking here on the floor of the House or to groups of educators or to various civic organizations in many parts of the Nation, interested members of our committee have drilled home the point that four out of five of our schoolchildren will require education for a job other than that requiring a college degree. Yet this elemental fact seems so difficult to get across to the Nation's educational establishment, especially those who during several national administrations have made policy for the U.S. Office of Education and the Department of Health, Education, and Welfare.

This bill is a carefully conceived instrument for dealing with that elemental fact. It aims toward the blending and fusion of occupational education with academic education beginning with grade

one and continuing beyond the high school. As the third report of the National Advisory Council on Vocational Education stated last July:

The primary reason this nation has not yet established a society in which there is equal opportunity to learn and work is that it has not yet tried.

With this legislation we are beginning to try. The advisory council report also argued that "every secondary school should be an employment agency" just as colleges and universities operate employment offices for their students. We agree, and that is a major objective of this legislation.

Mr. Speaker, in developing legislation for these purposes we faced many difficult questions. What kinds of institutions would conduct the post-secondary programs? Which of several possible State agencies would administer the program at the State level? How could we assure the wide variety of professional and institutional interests that they would be meaningfully involved in this effort? Those who work in education will recognize that these are not easily resolved. Yet, by working carefully with major professional groups such as—but not limited to—the American Vocational Association, the American Association of Junior Colleges, the United Business Schools, Inc., and the American Association of State Colleges and Universities, we resolved these questions in such a manner that lots of people support this bill who have previously not been able to agree upon a single piece of legislation affecting post-secondary education.

The basic reason for this is that we have worked out a bill which concentrates on program content rather than administrative or institutional concerns. We did so for very practical reasons. In terms of State administration, there is no agency in most States which has responsibility for the programs which this bill treats in a unitary manner, so we leave it up to the Governor to designate or establish an agency which then must broaden its structure to meet the requirements of this bill and involve in an effective manner all of the educational and other groups involved in the programs. The involvement would include every significant activity from initial planning through evaluation of programs which are carried out.

In terms of institutional interests, there is no national pattern to follow. Today post-secondary occupational education is taking place in a wide range of public and private institutions, all of which would be eligible to participate in programs under this act. In fact, the bill encourages broad participation on the sound theory that even if we utilized all existing facilities we could not meet existing needs. The bill provides a flexible approach which can be fitted to the existing pattern of institutions in every State.

This bill strongly emphasizes the need for careful initial planning and for continuous evaluation of the programs which are funded. This has been a weakness in some education legislation and we are determined that it not be re-

peated. It also provides for coordination with all existing programs—at the State level the Advisory Council for Vocational Education would expand its responsibilities to encompass this act—and it would ensure—with respect to the now existing structure of the executive branch—that occupational education is placed on an equal footing with academic education.

This final point, Mr. Speaker, to which I have alluded, is a major purpose of this bill. In my judgment, occupational education has been treated by the U.S. Office of Education for years—running through both Democratic and Republican administrations—as though it were not a legitimate part of our structure of education. I have publicly criticized this and have privately pleaded for change. Now I propose to accomplish by legislation what so many of us have been unable to bring about through exhortation. This bill would establish a Bureau of Occupational Education within the U.S. Office of Education headed by a GS-18 with the rank of Deputy Commissioner and it would authorize additional supergrade positions to support the new Deputy. Moreover, it would spell out the responsibilities of both the Secretary and the Commissioner in creating a proper emphasis upon occupational preparation and would establish a unit in the office of the Secretary to ensure that the coordinating responsibilities of the Department are carried out. One of the problems I have encountered with our manpower programs, for example, is that the educational oversight supposed to be exercised by the Department of Health, Education, and Welfare has not been conducted at a level high enough to have much effect. This bill would also cure that problem.

I support the President's proposal for a new Department of Human Resources, and I feel that when it is finally approved we can achieve an even better administrative position for all of education, including occupational education and manpower training. However, in the interim period—which could be a long time—I am not willing to tolerate the continued neglect of occupational education in the executive branch.

For all of these reasons, Mr. Speaker, I hope that this bill will get prompt and full hearings, and that it will be enacted with strong support from both sides of the aisle. I urge my colleagues in the Congress to study the issues raised by this bill and to act to deal effectively with them. I am attaching to this statement a brief analysis of the major provisions of this bill, as follows:

#### SUMMARY OF BILL

**Short title.**—"The Occupational Education Act of 1971."

**Types of programs supported.**—The bill would have two major thrusts: (1) the planning for and establishment or expansion of post-secondary occupational programs (which prepare for job entry rather than a baccalaureate degree) in a wide variety of institutions, and (2) the development and implementation of long-range strategies for infusing occupational counseling and preparation into the elementary and secondary schools on an equal footing with academic preparation.

**Authorizations.**—Fiscal 1972—\$100 million; 1973—\$250 million; 1974—\$500 million; and "such sums as may be necessary" for each fiscal year thereafter.

**State allocations.**—80 percent of the fiscal 1972 appropriations and 85 percent of those for succeeding years are allotted to the States on the basis of (1) a basic flat grant and (2) relative size of population aged 16 years and older. There is a special treatment of Guam, American Samoa, and the Trust Territories of the Pacific, but the District of Columbia, the Virgin Islands, and Puerto Rico are in all respects treated as States of the Union.

**Reserved Funds.**—The Commissioner would reserve 20 percent of the fiscal 1972 funds and 15 percent of appropriations in succeeding years to provide technical assistance to the States and to establish model or demonstration programs in occupational education which would advance the purposes of the Act on a national basis.

**State administration.**—The Governor would establish or designate a State agency to administer the Act, but with assurances that the agency would involve in both the planning and implementation representatives of public and private elementary and secondary education and of all the major educational and institutional groups, resources, and interests involved in post-secondary occupational education. The bill (section 122) would require a comprehensive planning effort and no program grants would be authorized until such planning had been completed. It would be anticipated that the initial year's appropriations would be available largely for helping establish the State administrative agencies and for carrying out the planning functions (except in a few States where such planning may have occurred).

**Federal administration.**—The major features of the provisions for Federal administration are as follows:

(1) A special unit is established in the Office of the Secretary to provide intra-departmental coordination in meeting sub-professional personnel needs in the health occupations, rehabilitation, education, and welfare and community services, and to provide inter-departmental coordination with the manpower training and related programs throughout the Federal Government.

(2) A Bureau of Occupational Education is established by law to administer the Vocational Education Acts, the Adult Education Act and this Act.

(a) The Bureau would be headed by a GS-18 with the title of Deputy Commissioner; and

(b) Thirteen additional "supergrade" positions would be mandated for the new Bureau.

(3) The general responsibilities of both the Secretary and the Commissioner for coordinating other Federal programs and utilizing other resources to encourage and promote occupational education are made explicit.

**Other features.**—(1) To assure maximum coordination, the State advisory councils on Vocational Education would have the same responsibilities for this Act as for the vocational acts, and additional funds would be made available to them.

(2) There is provision made for the utilization of private, proprietary schools on a contract basis when substantially equivalent education or services can be rendered more readily or more economically through such utilization.

(3) Job placement is treated as a desirable responsibility there is encouragement for the follow-up services and of secondary schools, and concept of continuing occupational counseling as a normal function of the educational system.

(4) Continuing evaluation of programs is stressed at all levels of administration.

#### CHRONOLOGY—VIETNAM

The SPEAKER. Under a previous order of the House, the gentleman from Ohio, Mr. DEVINE, is recognized for 15 minutes.

Mr. DEVINE. Mr. Speaker, I think it would be useful for all of us in this Chamber to consider Vietnam in historical perspective. In the welter of words and emotion surrounding this great issue of our times, we too frequently lose track of the long history of Vietnamese conflict in general and American participation in particular. I would like to present today an unclassified summary of a chronology of events pertaining to the war in Vietnam and with permission would like to insert for the record a copy of the detailed chronology at the conclusion of my remarks.

No one looking at the history of the Vietnamese peoples can doubt that they have endured hardships for a century—beginning in 1867 with the French conquest of southern Vietnam. After decades of French colonial rule, the Indochina war truly began in 1946 after fruitless negotiations between the French and Vietnamese.

After the French defeat of 1954, the Geneva accords were signed providing for the division of Vietnam along the 17th parallel. Under separate agreements, Laos and Cambodia were neutralized. But by October 10 of 1954, 1 month after the establishment of the Southeast Asia Treaty Organization, President Eisenhower made the decision to offer U.S. military aid to the Government of Vietnam. A day later, the Communist Viet Minh regime formally took over control of Hanoi and North Vietnam.

American presence in Vietnam through 1960 was virtually nil. In May of 1960 the United States increased our military assistance personnel from 327 to 685. By the end of the year, the Communist Party of North Vietnam resolved—December 20—to "liberate" South Vietnam and unite the two Vietnams and the National Front for the Liberation of South Vietnam was formed.

This was the situation when President John Fitzgerald Kennedy entered office. The first major indication of President Kennedy's policy came on May 13, 1961, when then Vice President Johnson during a visit to Saigon announced additional U.S. military and economic aid. In August of that year, President Kennedy declared that the United States would do all it could to save South Vietnam from communism, and in December of 1961 the first U.S. helicopter units arrived in South Vietnam.

Later, in February of 1962, the U.S. Military Assistance Command Vietnam (USMACV) was established under Gen. Paul D. Harkins. Continued turbulence through 1963 culminated in the military coup of November 1 which overthrew the Diem government, following which there issued a number of other coups and changes in government through the spring of 1965.

Prior to that, events in 1964 had moved at a rapid pace, including the increase of U.S. military and logistical support to the Government of Vietnam. Shortly

after Gen. William Westmoreland assumed command of USMACV, the North Vietnamese attacks on U.S. patrol boats occurred in the Gulf of Tonkin. Retaliatory U.S. air strikes followed along with the joint U.S. congressional Southeast Asia resolution of August 7, affirming that the United States was prepared to take all necessary steps to assist any SEATO member or protocol state requesting assistance in defense of its freedom.

Mr. Speaker, we all know that the "Tonkin Resolution" was an important watershed in U.S. involvement in Southeast Asia, and I might point out that every present Member of this Chamber who was sitting here in 1964 voted in favor of that resolution.

On December 31, 1964, American military strength had reached 23,000. By this time, it was no secret that the North Vietnamese had introduced their regulars into the fighting in the South, via the Ho Chi Minh Trail, and were using Cambodian and Laotian sanctuaries in violation of the Geneva accords.

From there many of the following actions are familiar to Americans and to Members of Congress. On June 7, 1965 U.S. military personnel in South Vietnam passed the 50,000 mark. Later that month B-52 strikes began in the North. On July 25 President Lyndon Johnson announced that U.S. troop strength in Vietnam would rise to 125,000, but by December 31 it was up to 154,000. By that same date total American combat deaths numbered 1,636. After a prolonged delay of U.S. air strikes in the North, air strikes were resumed on January 31, 1966. Two months later American forces there numbered 215,000.

As the fighting stepped up throughout the summer, the Defense Department announced on July 10th that U.S. forces would expand to 375,000 by the end of 1966 and to 425,000 by Spring of 1967. And the United States was reported to have been carrying out over 100 air strikes a day over Communist infiltration routes in Laos. By the end of 1966 U.S. troop strength reached 389,000, an increase of over 200,000 in 12 months. There were 5,000 additional combat deaths and total combat fatalities numbered 6,644.

The troop buildup continued into 1967 so that on June 17 troop strength stood at 463,000 and combat deaths to date were 11,099. The Glassboro conference between President Johnson and Premier Kosygin followed on June 23 with no apparent easing of tensions over the war in Vietnam, and on August 20 a new one-day record of 209 bombing missions took place over North Vietnam. Days later, South Vietnam elected a civilian national government in free and open elections in which 83 percent of the registered electorate participated—voting General Nguyen Van Thieu to the Presidency.

By the end of 1968, U.S. military strength had grown to 480,000, and in the next month the siege of Khe Sanh began. On the fateful day of January 30, 1968, the Tet Offensive was launched by the Communists with well coordinated simultaneous attacks on Allied bases and

major South Vietnamese cities, including Saigon and Hue. Allied forces canceled their previously announced Tet shutdown and resumed military operations.

When American combat strength reached 495,000 by February 24, combat deaths had grown to 18,799. In the meantime, the enemy had launched the second phase of their winter-spring campaign. On March 31, 1968, President Johnson announced an immediate halt in air and naval bombardment over most of North Vietnam and also announced a 13,500 increase over the 525,000-man ceiling in U.S. troop strength in South Vietnam. Although President Johnson and North Vietnam exchanged public statements in which they agreed to establish contact between their representatives, peace talks did not begin until May 13 in Paris. By June 30, USMACV reported U.S. death of 10,503 in the first 6 months of 1968, a figure almost equal to the 12-month 1967 figure of 11,058.

On October 31, 1968, President Johnson ordered the complete cessation of air, ground, and naval bombardment of North Vietnam, and an accelerated pacification campaign began. By late November, the Communists were reported to have quadrupled their enemy and supply movements along the Ho Chi Minh Trail since the bombing halt. U.S. troop strength at the end of the year was 536,040 and U.S. combat deaths since January 1, 1961, numbered 30,543.

This was the situation when President Nixon came into office on January 20, 1969. On January 25 the peace negotiating teams met in Paris for the first substantive talks. Represented were the United States, the Government of Vietnam, the Democratic Republic of Vietnam, and the National Liberation Front.

At an April 18 press conference President Nixon announced the U.S. troop redeployments from South Vietnam would depend on any of three factors: (1) The ability of the South Vietnamese to handle their own defense; (2) the level of fighting in South Vietnam, whether or not the offensive action of the enemy receded; or (3) the progress of the Paris peace talks. Twelve days later, American troop strength peaked out at 543,482.

On May 14, 1969, the President presented eight specific proposals for peace, developed after consultation with President Thieu, including phased, mutual withdrawal of major U.S., allied, and North Vietnamese forces. On June 8, at the Midway meeting between Presidents Nixon and Thieu, President Nixon announced the initial replacement of 25,000 U.S. troops with South Vietnamese.

The Vietnamization process had begun. Phased withdrawals began on a continuing basis. In August, the U.S.S. *New Jersey* was deactivated, the refugee population dropped below the 1 million mark for the first time since February of 1968, and U.S. military strength was lowered to 509,618, well below the announced goal of the President. Throughout the fall, Americans turned over combat responsibility and war materiel to the South Vietnamese. On November 3,

1969, President Nixon in a major Vietnam policy address told of U.S. resolve either to get a satisfactory negotiated settlement, or complete Vietnamization on an orderly schedule which allowed the South Vietnamese to "become strong enough to defend their own freedom." He warned the enemy of strong and effective measures if increased enemy action jeopardized the remaining U.S. forces.

At the end of 1969, U.S. troop strength in Vietnam was down to 484,326, and by April of 1970 the downward trend of troop levels brought it to 428,000.

On April 30 the President announced that after full consultations and review of the available options, it had been decided that U.S. and South Vietnamese ground and air forces would attack the enemy sanctuaries in the Cambodia/Vietnam border areas.

Mr. Speaker, I think it would be useful here to pause and consider the Cambodian operation in light of the history of the fighting in Indochina. A little over 2 years ago, the authorized troop strength for Americans in Vietnam was 549,000 after levels had risen steadily for 5 years. On January 1, 1971, that authorized level was 344,000 and by May 1 it will drop to a new ceiling of 284,000. We have been assured that the process will continue.

The year before President Nixon entered office, American combat deaths averaged 278 weekly. In 1969 the weekly average dropped to 180. In 1970 it was 80, and in the last 6 months of 1970, due to the highly successful Cambodian operation, combat deaths had come down to a weekly average of 51. The decline has been steady and constant—irrefutable evidence that the American presence in Vietnam has been lessening, while at the same time increased progress has been made in developing South Vietnam's ability to protect itself.

Such progress enabled President Nixon to make on October 7, 1970, the most generous peace proposals of the war:

A cease-fire in place throughout Indochina.

A call for an Indochina Peace Conference.

A preparedness to negotiate an agreed timetable for complete withdrawals as part of an overall settlement.

Political settlement that truly meets the aspirations of all South Vietnamese.

Immediate and unconditional release of all prisoners of war held by both sides.

And in November, from a time in 1965 when there was a high of refugees on the rolls of 3.5 million, the number had been reduced to 470,000 with another 240,000 in a "return-to-the-village" status.

And finally, Mr. Speaker, to continue to provide for the safety of withdrawing American troops and for the prevention of heavy enemy offensives, ARVN units with U.S. air support entered the Laotian panhandle to attack the North Vietnamese logistics network. This operation, I am sure, will prove historically to have been every bit as successful as the Cambodian operation.

I hold the strong belief that the story I have outlined today is essential to an

understanding of our present status in Vietnam. I can only express my deep regrets that this message has not been received clearly by those so anxious to criticize current decisions in Indochina. Let us give due credit for the great progress which has been made, and let us be thankful that we are closer to peace today than we have been in a decade.

### THE TEXTILE DILEMMA

The SPEAKER. Under a previous order of the House, the gentleman from North Carolina (Mr. MIZELL) is recognized for 5 minutes.

Mr. MIZELL. Mr. Speaker, I rise today to call my colleagues' attention to further evidence of the fast growing dilemma in our American textile industry.

An article appearing in the April 5, 1971, newsletter of the Republican Congressional Committee presents a balanced set of facts pertinent to the textile crisis.

I believe my colleagues will find this article informative and interesting, especially since it crystallizes so well the arguments on both sides of the issue.

I remind my colleagues that legislation which I have introduced, and which I believe merits their attention, can effectively relieve this critical situation, which threatens the South's largest employer, and thus has a direct bearing on almost one-third of the Nation's population.

I request permission at this time to have the text of this article reprinted in the RECORD of today's proceedings.

#### NEWSLETTER BACKGROUNDER—A TRADE CRISIS LED BY TEXTILES

Almost two centuries ago, economist Adam Smith said: "It is the maxim of every prudent master of a family never to attempt to make at home what it will cost him more to make than to buy. . . . What is prudence in the conduct of every private family can scarce be folly in that of a great nation."

For years, the U.S. Government has followed this rough guideline in encouraging free trade. Now the burgeoning glut of cheap products from abroad has become a direct threat to U.S. industries employing millions of workers. The issue has come to a head over textiles. Lined up on one side are "Be American, Buy American" proponents. On the other are free traders who claim the interests of consumers in seeking lower prices.

What is at stake?—The textile industry in the U.S. employs 2.3 million workers, one out of every eight in manufacturing, four times the number of workers employed by the steel industry and five times the number in the auto industry. It is a heavy employer of minority groups and of the underskilled—areas in which job mobility is lacking. It is an industry with high labor intensity—not adaptable to computerization and machine technology.

The problem—The U.S. imports textiles from 100 other countries. Many of these products are produced by cut-rate labor, hence can be sold at prices far less than for U.S. textiles. Employment in the U.S. textile industry dropped 100,000 in nine months during 1970 to the lowest point since 1966. Profits in the textile industry dropped 44 percent and 32 percent in the apparel industry. Capital expenditures for new equipment dropped 8 percent last year. Some 238 firms in textiles failed in 1969-70, as did 311 in the apparel industry.

The U.S. trade deficit was about \$1.2 billion in textiles last year, in contrast to a decade

earlier when we were exporting more textiles than we imported.

Where imports come from—In 1970, we imported 760 million yards of textiles from Japan. Taiwan and Korea combined sent in 585 million, Hong Kong, 190 million. And Commerce Department officials report that other nations are clamoring to get into our textile markets as they increase production capacity.

What are the remedies?—Today's conflict in Government is based on what form curbs on textiles should take. On one hand, there is growing sentiment for a strict trade bill which would put quotas on imports of textiles—with U.S. shoe manufacturers and other industries wanting it expanded to include their products. Opponents of this approach claim it would set off an international trade war and hurt our exports of other goods, especially farm products, which hit \$7 billion last year.

Voluntary curbs?—The Japanese have suggested a voluntary limit on textile exports to the U.S. But their proposal for 1971 is based on a 5 percent increase over 1970's record level and a 6 percent rise in each of the subsequent two years—a 17 percent-plus increase in textile imports over the next three years, in other words. They also will not curb their textile exports unless South Korea, Hong Kong and Formosa also agree. The Administration has rejected this approach as inadequate to protect U.S. jobs.

The Administration position—President Nixon favors negotiated agreements, but failure of Japan and other major exporters to suggest effective curbs has swung his support to restrictive legislation. On March 11, he said: "It is well known that I would prefer a negotiated agreement to solve this problem. The maneuver of the Japanese industry, now apparently ratified by the Government of Japan, has effectively precluded further meaningful government-to-government negotiations, the resumption of which this country would welcome. Consequently, I will strongly support the textile quota provisions of the legislation now pending before the Congress, H.R. 20, a bill passed by the House of Representatives last year. . . ."

Summary—U.S. industries are being hurt by textile and apparel imports at a time when we are trying to restore full employment. Negotiation has been continuous but unproductive. The Administration and leaders in Congress have decided to seek legislation that will let foreign governments know that the U.S. is willing to act.

The Administration still seeks a solution of the problem of trade balance by negotiation if at all possible. President Nixon is seeking wider markets for U.S. products, asking that trade barriers in other countries be broken down. A Commerce Department spokesman summed up the Administration stand: "While we can accept substantial volumes of imports, and can allow imports to grow in the future, we cannot accept a situation in which all growth of this trade is directed at the United States."

#### CAPT. AUBREY M. DANIEL'S LETTER TO PRESIDENT

The SPEAKER. Under a previous order of the House, the gentleman from California (Mr. CORMAN) is recognized for 10 minutes.

Mr. CORMAN. Mr. Speaker, I take this time to bring to the attention of my colleagues the letter to the President of the United States from Capt. Aubrey M. Daniel III, JAGC, trial counsel in the case of Lt. William Calley. The text of the letter is as follows:

#### DANIEL'S LETTER TO PRESIDENT

APRIL 3, 1971.

The PRESIDENT OF THE UNITED STATES,  
White House,  
Washington, D.C.

SIR: It is very difficult for me to know where to begin this letter as I am not accustomed to writing letters of protest. I only hope that I can find the words to convey to you my feelings as a United States citizen, and as an attorney, who believes that respect for the law is one of the fundamental bases upon which this nation is founded.

On Nov. 26, 1969, you issued the following statement through your press secretary, Mr. Ronald Ziegler, in referring to the Mylai incident:

"An incident such as that alleged in this case is in direct violation not only of U.S. military policy, but is also abhorrent to the conscience of all the American people.

"The Secretary of the Army is continuing his investigation. Appropriate action is and will be taken to assure that illegal and immoral conduct as alleged be dealt with in accordance with the strict rules of military justice.

"This incident should not be allowed to reflect on the some million and a quarter young Americans who have now returned to the United States after having served in Vietnam with great courage and distinction."

At the time you issued this statement, a general court-martial had been directed for a resolution of the charges which had been brought against Lt. William L. Calley Jr. for his involvement at Mylai.

On Dec. 8, 1970, you were personally asked to comment on the Mylai incident at a press conference. At that time you made the following statement:

"What appears was certainly a massacre, and under no circumstances was it justified.

"One of the goals we are fighting for in Vietnam is to keep the people of South Vietnam from having imposed upon them a government which has atrocity against civilians as one of its policies.

"We cannot ever condone or use atrocities against civilians in order to accomplish that goal."

These expressions of what I believe to be your sentiments were truly reflective of my own feelings when I was given the assignment of prosecuting the charges which had been preferred against Lt. Calley. My feelings were generated not by emotionalism or by self-righteous indignation but by my knowledge of the evidence in the case, the laws of this nation in which I so strongly believe, and my own conscience.

I knew that I had been given a great responsibility and I only hoped that I would be able to discharge my duties and represent the United States in a manner which would be a credit to the legal profession and our system of justice.

I undertook the prosecution of the case without any ulterior motives for personal gains, either financial or political. My only desire was to fulfill my duty as a prosecutor and see that justice was done in accordance with the laws of this nation. I dedicated myself totally to this end from November of 1969 until the trial was concluded.

#### ABIDING CONVICTION

Throughout the proceedings there was criticism of the prosecution, but I lived with the abiding conviction that once the facts and the law had been presented there would be no doubt in the mind of any reasonable person about the necessity for the prosecution of this case and the ultimate verdict. I was mistaken.

The trial of Lt. Calley was conducted in the finest tradition of our legal system. It was in every respect a fair trial in which every legal right of Lt. Calley was fully protected.

It clearly demonstrated that the military justice system which had previously been the subject of much criticism was a fair system.

Throughout the trial, the entire system was under the constant scrutiny of the mass media and the public, and the trial of Lt. Calley was also in a very real sense the trial of the military judicial system. However, there was never an attack lodged by any member of the media concerning the fairness of the trial. There could be no such allegation justifiably made. I do not believe that there has ever been a trial in which the accused's rights were more fully protected, the conduct of the defense given greater latitude, and the prosecution held to stricter standards. The burden of proof which the government had to meet in this case was not beyond a reasonable doubt but beyond possibility. The very fact that Lt. Calley was an American officer being tried for the deaths of Vietnamese during a combat operation by fellow officers compels this conclusion.

The jury selection, in which customary procedure was altered by providing both the defense and the prosecution with three preemptory challenges instead of the usual one, was carefully conducted to insure the impartiality of those men who were selected. Six officers, all combat veterans, five having served in Vietnam, were selected. These six men who had served their country well were called upon again to serve their nation as jurors and to sit in judgment of Lt. Calley as prescribed by law. From the time they took their oaths until they rendered their decision, they performed their duties in the very finest tradition of the American legal system. If ever a jury followed the letter of the law in applying it to the evidence presented, they did. They are indeed a credit to our system of justice and to the officer corps of the United States Army.

#### TOTALLY SHOCKED

When the verdict was rendered, I was totally shocked and dismayed at the reaction of many people across the nation. Much of the adverse public reaction I can attribute to people who have acted emotionally and without being aware of the evidence that was being presented and perhaps even the laws of this nation regulating the conduct of war. These people have undoubtedly viewed Lt. Calley's conviction simply as the conviction of an American officer for killing the enemy. Others no doubt out of a sense of frustration have seized upon the conviction as a means of protesting the war in Vietnam. I would prefer to believe that most of the public criticism has come from people who are not aware of the evidence either because they have not followed the evidence as it was presented, or having followed it they have chosen not to believe it. Certainly, no one wanted to believe what occurred at My Lai, including the officers who sat in judgment of Lt. Calley. To believe, however, that any large percentage of the population could believe the evidence which was presented and approve of the conduct of Lt. Calley would be as shocking to my conscience as the conduct itself since I believe that we are still a civilized nation. If such be the case, then the war in Vietnam has brutalized us more than I care to believe, and it must cease. How shocking it is if so many people across this nation have failed to see the moral issue which was involved in the trial of Lt. Calley—that it is unlawful for a soldier to summarily execute unarmed and unresisting men, women, children, and babies. But how much more appalling it is to see so many of the political leaders of the nation who have failed to see the moral issue or, having seen it, to compromise it for political motives in the face of apparent public displeasure with the verdict. I would have hoped that all of the leaders of this nation, which is supposed to be the leader within the international community for the protection of the weak and the oppressed regardless of nationality,

would have either accepted and supported the enforcement of the laws of this country as reflected by the verdict of the court or not make any statement concerning the verdict until they had had the same opportunity to evaluate the evidence that the members of the jury did.

In view of your previous statements concerning this matter, I have been particularly shocked and dismayed at your decision to intervene in these proceedings in the midst of the public clamor. Your decision can only have been prompted by the response of a vocal segment of our population, who while no doubt acting in good faith, cannot be aware of the evidence which resulted in Lt. Calley's conviction. Your intervention has, in my opinion damaged the military judicial system and lessened any respect it may have gained as a result of these proceedings. You have subjected a judicial system of this country to the criticism that it is subject to political influence when it is a fundamental precept of our judicial system that the legal processes of this country must be kept free from any outside influences. What will be the impact of your decision upon future trials, particularly those within the military?

Not only has respect for the legal process been weakened and the critics of the military judicial system been given support for their claims of command influence, the image of Lt. Calley, a man convicted of the premeditated murder of at least 22 unarmed unresisting people, as a national hero has been enhanced, while at the same time support has been given to those persons who have so unjustly criticized the six loyal and honorable officers, who have done this country a great service by fulfilling their duties as jurors so admirably. Have you considered those men in making your decisions? The men who since rendering their verdict have found themselves and their families the subject of vicious attack upon their honor, integrity and loyalty to this nation. It would seem to me to be more appropriate for you as the President to have said something in their behalf and to remind the nation of the purpose of our legal system and the respect it should command. I would expect that the President of the United States, a man whom I believe should and would provide the moral leadership for this nation, would stand fully behind the law of this land on a moral issue which is so clear and about which there can be no compromise. For this nation to condone the acts of Lt. Calley is to make us no better than our enemies and make any pleas by this nation for the humane treatment of our own prisoners meaningless.

I truly regret having to have written this letter and wish that no innocent person had died at My Lai on 16 March 1968. But innocent people were killed under circumstances that will always remain abhorrent to my conscience. While in some respects what took place at My Lai has to be considered a tragic day in the history of our nation, how much more tragic would it have been for this country to have taken no action against those responsible. That action was taken, but the greatest tragedy of all will be if political expediency dictates the compromise of such a fundamental moral principle as the inherent unlawfulness of the murder of innocent persons, making the action and the courage of six honorable men who served their country so well, meaningless.

Respectfully yours,

AUBREY M. DANIEL III,  
Captain, JAGC, Trial Counsel,  
(U.S. v. Calley.)

#### STANLEY PENKALA RECEIVES DR. BENJAMIN RUSH AWARD

The SPEAKER. Under a previous order of the House, the gentleman from Pennsylvania (Mr. Flood) is recognized for 10 minutes.

Mr. FLOOD. Mr. Speaker, one of the best known, highly regarded community workers in Luzerne County, Pa., recently received another recognition of his untiring efforts in behalf of the handicapped persons, particularly those afflicted, like himself, with cerebral palsy.

Stanley Penkala, chief of security at the Luzerne County Courthouse, and one of the most popular and widely known residents of the Greater Wilkes-Barre area, was named the recipient of the Dr. Benjamin Rush Award by the Luzerne County Medical Society. This recognition came soon after the presentation in New York City last fall of the National United Cerebral Palsy Association's special award "for his untiring efforts on behalf of other local and statewide charity organizations."

Mr. Penkala is as active in other community organizations as he is in the pursuit of the cause of those handicapped with cerebral palsy. An original member of the United Cerebral Palsy organization in Wyoming Valley, he is also a third degree member of the Knights of Columbus Council 302, an active member of Wilkes-Barre Lodge 109, Elks, the St. Alphonse Retreat League, the Wyoming Valley Crime Clinic, the Greater Wilkes-Barre Democratic Club, and St. Mary's Church, South Washington Street, also in my hometown of Wilkes-Barre.

Mr. Speaker, as you are aware, I am the chairman of the Appropriations Subcommittee for the Department of Health, Education, and Welfare. In that capacity each year I hear witnesses by the hundreds who plead the case for more Government funds for research and treatment of the handicapped persons. While the cause of each is most worthy, and the need for additional funds grows continuously, we can, I think, take good example from Stanley Penkala and the outstanding work he, a handicapped person, has done for his fellow man, as well as his fellow handicapped.

Mr. Penkala has refused to let affliction and constant physical inconvenience deter him. His incapacity has served him with additional inspiration and source of courage to carry on each day at the Luzerne County Courthouse, where he is loved so well, and in his untiring efforts to aid persons with cerebral palsy. His community spirit and activities, his spirit of patriotism and concern for his fellow man have made him an example for all of us who are privileged to know him.

Mr. Speaker, I join with Stanley Penkala's multitude of friends in saluting him for his outstanding role as citizen, community activities leader, and handicapped person. I commend his outstanding performance and extend further recognition for him in this House of Representatives.

#### PRIVATE BILLS RELATING TO IMMIGRATION AND NATIONALITY MATTERS

The SPEAKER. Under a previous order of the House, the gentleman from New Jersey (Mr. Rodino) is recognized for 10 minutes.

Mr. RODINO. Mr. Speaker, on Friday, March 12, 1971, as chairman of the Sub-

committee on Immigration and Nationality, Committee on the Judiciary, I sent a letter to each Member of the House of Representatives calling attention to the change in the committee rules of procedure governing consideration of private bills relating to immigration and nationality matters. With minor modifications they are the same rules which existed during the previous Congress.

The members of the subcommittee hope by diligent effort to eliminate the long waiting period between introduction and consideration of private legislation, and intend to substantially reduce the entire backlog of the great number of private bills now pending which were first introduced prior to the major change in the committee rules of procedure in the last Congress.

At the same time, we want to assure the Members that no bill will be adversely acted upon without first notifying the author and giving him ample time to supply the subcommittee with documentation in support of his bill.

After reviewing each case, the subcommittee will make a tentative decision concerning the merits of the bill. If it is favorable, we will then advise the author of our intention to report the bill favorably and request that he submit a statement for inclusion in the RECORD.

When adverse action is contemplated, authors will be advised to that effect and given ample opportunity to submit additional material pertinent to the case.

A private immigration bill is an extraordinary remedy available to assist aliens with unusual problems resulting in unusual hardship. The private immigration bill is, in essence, an exception to the general law and should be viewed as such and not as a method to circumvent the general law.

The committee is well aware that there are areas within the existing immigration statute which lend themselves to contradiction of policy and resulting hardship to certain alien classes, but we will endeavor, through remedial legislation shortly to be the subject of hearings, to correct these deficiencies. Meanwhile, it must be remembered that a private bill is not the answer to the need for general legislation.

We would also impress upon our colleagues in the House the importance of pursuing all possible administrative remedies which may be available to beneficiaries of pending private immigration bills. Ofttimes the beneficiary of a bill does not investigate or seek administrative relief and merely relies upon a private bill to solve his immigration problem. Beneficiaries should be cautioned against this practice.

Mr. Speaker, in order that the Members of the House and their staffs will be fully aware of the rules of procedure of Subcommittee No. 1, Immigration and Nationality, I reproduce at this point in the RECORD.

#### RULES OF PROCEDURE

1. The regular meeting day of the Subcommittee will be Thursday or upon the call of the Chairman. The regular meeting days of the Subcommittee on private bills will be the first and third Thursdays of each month or upon the call of the Chairman.

2. A quorum of the Subcommittee shall

consist of two members for the purpose of holding hearings on private bills and five members for the purpose of making recommendations to the Committee.

3. The introduction of a private bill does not automatically act as a stay of deportation until the Committee requests a departmental report. Requests for reports on private bills from the Departments shall be made only upon a written request addressed to the Chairman of the Subcommittee or the Chairman of the Committee on the Judiciary by the author of such bill. That request shall contain the following information which shall be submitted to the Committee in triplicate.

(a) In the case of aliens who are physically in the United States:

The date and place of the alien's last entry into the United States; his immigration status at that time (visitor, student, exchange student, crewman, stowaway, illegal border crosser, etc.); his age; place of birth; address in the United States; and the location of the United States Consulate at which he obtained his visa, if any.

(b) In the case of aliens who are residing outside the United States:

The alien's age; place of birth; address, and the location of the United States Consulate before which his application for a visa is pending; and the address of and relationship to the person primarily interested in the alien's admission to the United States.

(c) In the case of aliens who are seeking expeditious naturalization:

The date the alien was admitted to the United States for permanent residence; his age; place of birth; and address in the United States.

4. The Subcommittee shall not address to the Attorney General communications designed to defer deportation of beneficiaries of private bills who have entered the United States as nonimmigrants, stowaways, in transit, deserting crewmen, or by surreptitiously entering without inspection through the land or sea borders of the United States.

Exemption from this rule may be granted by the Subcommittee in cases where the bill is designed to prevent unusual hardship. However, no such exemption may be granted unless the author of the bill has secured and filed with the Subcommittee full and complete documentary evidence in support of his request to waive this rule.

5. No private bill shall be considered if an administrative remedy exists, or where court proceedings are pending for the purpose of adjusting or changing the immigration status of the beneficiary.

6. No favorable consideration shall be given to any private bill until the proper Department has submitted a report.

7. Upon the receipt of reports from the Departments, private bills shall be scheduled for Subcommittee consideration in the chronological order of their introduction, except that priority shall be given to bills introduced earliest in any of the previous Congresses.

8. Consideration of private bills designed to adjust the status of aliens who are in the United States shall not be deferred due to nonappearance at Subcommittee hearings of the author of the bill or person authorized to represent him.

9. Bills previously tabled shall not be reconsidered unless new evidence is introduced showing a material change of the facts known to the Committee.

#### APPOINTMENT OF FBI DIRECTOR

The SPEAKER. Under a previous order of the House, the Chair recognizes the gentleman from California (Mr. CHARLES H. WILSON) for 15 minutes.

Mr. CHARLES H. WILSON. Mr. Speaker, there has been much con-

trovery in recent months surrounding the Federal Bureau of Investigation and its Director, J. Edgar Hoover. It has been my feeling for some time that perhaps some rational, legislative approach might be appropriate for this situation. I am, therefore, introducing today a measure which in essence, would retain the power to appoint an FBI Director with the President—with the advice and consent of the Senate—limit the duration of any such appointee's tenure to no more than 10 years and call for mandatory retirement at 65 years of age. The President could appoint no one as FBI Director who had served 10 years in the position or who had attained the age of 65; further, the President would have the power to remove a Director at any time.

Mr. Speaker, it is my belief that individuals who serve the public in high-level positions should be accountable and responsive to the judgment of the people, either directly—through the elective process—or indirectly—through powers vested in elected officials at various levels. In addition, those who hold sensitive appointments to positions of great stress and responsibility should be limited in terms of age. These beliefs have prompted me to introduce this legislation.

No responsible individual can fail to acknowledge the Herculean task which J. Edgar Hoover has accomplished in building today's Federal Bureau of Investigation. Prior to his appointment, the only Federal investigative agency existing in this country consisted of a poorly trained, relatively undisciplined, and loosely organized group of political appointees. Begun in 1908 under Theodore Roosevelt and known as the Bureau of Investigation, this agency had very little professionalism and virtually no facilities. When he became Director of the Bureau in 1924, J. Edgar Hoover promptly got permission to reorganize it from the ground up. Tough new standards and a model training program soon followed, along with steady improvements and additions to the Bureau's equipment and facilities. Today the FBI is a model agency without equal in the precise and scientific world of law enforcement. I think we in this country know that we owe the Director a great deal of respect and appreciation.

Nevertheless, any objective analysis of the powers and prerogatives of a modern-day FBI Director indicates, I think, that it is a difficult and sensitive job which should not be held more than 10 years or by a man who is 65 or more years old. A basic tradition in this country—indeed, one of our founders' precepts—is the prohibition against any public servant amassing dynastic or dictatorial powers. A President was once elected to four terms; now we have the 22d amendment. Every Member of this body must "lay it on the line" every 2 years, regardless of qualifications, attitudes, age, popularity, or whatever. The voters have their say. The President, if he chooses to seek reelection, must face the same test and his tenure is limited to 8 years. No Senator can escape the voters' judgment for more than 6 years. Most Government appointees are also subject to term limits or, at the least, being critically reviewed pe-

riodically. I believe all of these limits are proper and well intended.

It does not seem proper to me, however, that an individual, backed up by as much power as the FBI possesses and having such broad authority, should become a sacred institution at age 76, after 47 years of service. No one is indispensable. The record would certainly suggest that back in 1924 President Coolidge showed good judgment in selecting J. Edgar Hoover as FBI Director. I regret that I cannot say the same regarding the judgments of our more recent Presidents who have followed one another in perpetuating a term of service which I frankly think has gone on too long. I therefore believe the limits my bill would impose are in the best interests of our Nation's future, as well as the interests of future Directors of the FBI.

The character and professionalism of FBI personnel would certainly seem to be very high. I am sure Mr. Hoover has seen to it that there is no dearth of qualified candidates to succeed him now and in the future. With so many controversial statements and charges being presently made about the Bureau, it appears essential to me that any Director should be free of personality cultism or ideological identification. Modern professionalism and an objective approach to duty should stand as the major factors in an FBI Director's selection and subsequent performance. I do not think it inappropriate or disrespectful to the present Director for me to call for legislation aimed at accomplishing the goals I have set forth—for the FBI's competence and high standards are, in fact, consequences of his original policies. To J. Edgar Hoover we owe a great deal, including legislative safeguards to assure that future Directors will serve with professionalism and within reasonable limits, properly restrained by and responsive to the citizens of this country.

#### ACTIVITIES OF ANTITRUST DIVISION OF DEPARTMENT OF JUSTICE

The SPEAKER. Under a previous order of the House, the Chair recognizes the gentleman from Pennsylvania (Mr. ROONEY) for 10 minutes.

Mr. ROONEY of Pennsylvania. Mr. Speaker, I am becoming more and more concerned about the activities of this administration's Antitrust Division of the Department of Justice. Without coming to Congress and asking for legislation to change the antitrust laws, Mr. McLaren, the Division head, has been attacking many of our larger corporations on the theory that bigness in itself is a violation of the antitrust statutes. An editorial recently appeared in the News-Item, Mount Carmel and Shamokin, Pa., which praised a recent victory for the free enterprise system as set forth by Judge Timbers of the U.S. district court, Connecticut. I would like at this point to call this to the attention of my colleagues.

[From the Mount Carmel and Shamokin (Pa.) News-Item, Feb. 9, 1971]

#### BUSINESS SCORES, FINALLY

A victory was scored for free enterprise a few weeks ago. Judge William H. Timbers, in

the U.S. District Court of Connecticut, ruled for the defendant in a government anti-trust suit against a corporation, and stated that: "... the government has not sustained its burden (of proof) upon the essential issue ..."

It has been said before, but is worth repeating; there is nothing wrong with being big as long as you are competitive. There is nothing wrong with being small either, if you choose to be small. You ought to be able to exercise a choice in the matter.

Judge Timbers went on to stress that: "... it is fundamental under our system of government that any decision to change the standard (anti-trust laws) be made by the Congress and not by the Courts."

However, what if the Justice Department decides to take the case on to the Supreme Court? The Supreme Court has a 100 per cent batting average against business in anti-trust suits—it has decided for the government side of the case every single time. It would be unfortunate if the only monument to the current administration is the continued dismantling of the free enterprise system as a result of the activities of the head of the Anti-Trust Division of the Department of Justice. What if they decide that since bigness is bad, all large companies should be dismantled? This has already been suggested in the case of General Motors.

If the idea ever becomes a reality, you won't have any choice anymore. You will have to be small, or not at all.

#### THE CAMPBELL SOUP CO.—LEADERSHIP IN IMPROVING OUR INNER CITIES

The SPEAKER. Under a previous order of the House, the gentleman from Texas (Mr. PATMAN) is recognized for 10 minutes.

Mr. PATMAN. Mr. Speaker, a company willing to assume a leadership role in combating the problems of environmental pollution and urban growth should be recognized and applauded—the Campbell Soup Co. is such an organization. Under the excellent leadership of its president, W. B. "Bev" Murphy, the Campbell Soup Co. began working actively toward solutions to these problems long before it was the popular thing to do.

Campbell Soup long ago recognized that a major cause of our "urban crisis" was the rapid migration of our population away from rural areas to the central areas of our cities. The company, seeking a better rural-urban balance, began placing its plants in these rural areas, countering some of the flow of workers and their families away from our smaller towns and cities. An example is the Campbell plant in Paris, Tex., which has been an award winner for innovations in pollution control.

Adding to these enviable achievements, Campbell's has now received much deserved national recognition for its accomplishments in fighting the decay of our inner cities. For its work in improving the quality of housing in Camden, N.J., the company is winner of a Business Week magazine award for business citizenship. Look magazine has also recognized the company's continuing successful efforts in rescuing and restoring rundown houses in the most blighted sections of Camden providing quality low-cost housing for low-income families.

The following articles from Business

Week and Look describe the outstanding housing renewal project which the Campbell Soup Co. is sponsoring in Camden.

[From Business Week, Mar. 6, 1971]

#### A REHABILITATOR OF ITS HOMETOWN

Back in the mid-1950s, Campbell Soup Co. found itself in a quandary common for many big corporations. Its headquarters and principal plant were situated in an aging, Eastern industrial community, Camden, N.J., that typified the urban crisis. People were leaving, commerce was dying, decaying housing was being abandoned, unemployment and poverty were rising, city services were overstrained and faltering. The urban landscape consisted largely of boarded up storefronts, vacant lots, and endless streets of shabby brick houses.

Campbell's response, though, was not typical. Instead of taking the company to an attractive suburb, leaving many of its workers behind, Campbell's president W. B. Murphy decided to stay and fight for Camden. For its work in the area of human resources, Campbell is the winner of a Business Week award for business citizenship.

No single company, of course, could convert Camden into a vital, growing city again. But Campbell has provided leadership in countless ways and generated optimism that the small town across the Delaware River from Philadelphia has a future. Mayor Joseph M. Nardi, Jr., praises Campbell's role. "No question," he says, "Campbell has shown the leadership—and in a meaningful way." Mrs. Ruth Coleman, a black community leader, agrees: "Campbell is relevant to the things we are doing."

The company has put \$6-million into a variety of projects. It is building some parks, setting up day-care centers, underwriting a summer job program, and partly funding Reverend Leon Sullivan's Opportunities Industrialization Center. Campbell also drew other local companies into a Greater Camden Movement, arranged loans and management support to fledgling black businesses, and plunged into the frustrating field of large-scale downtown renewal. And along with RCA, Boise Cascade, and a well-known Wilmington builder, Leon N. Weiner, it set up the Camden City Centre Corp., which plans to turn some run-down waterfront and central city acreage into an imaginative mixture of apartments, shops, motels, and offices. Finally, the company helped the South Jersey Port Corp. to buy an abandoned shipbuilding works for a new port.

Of more direct consequence to poor families, Campbell set up a housing rehabilitation plan, called the Camden Housing Improvement Program. With seed money from Campbell, RCA, two banks, and a foundation, CHIP buys run down houses, fully renovates them, and sells them to low-income families with the help of a federal interest subsidy program. So far, 250 families have been helped to buy their own homes.

Murphy waves aside talk of his company's altruism, saying, "It's selfish." The company decided it was cheaper and better for its employees to remain in Camden. "We knew we had to take the necessary steps to improve the environment. Camden has got to work. It will work."

[From Look magazine, Apr. 6, 1971]

#### RENEWAL THAT WORKS

Camden, N.J., has no easy answer on low-income housing, but it has a successful one. More than 280 families, 1,400 people, have moved into once-empty row houses in the poorest parts of the city.

Less than four years ago, Camden suffered from rapid deterioration of the central city, aggravated by a severe case of highway and urban-renewal cramps. Recovery began when

a group of business leaders representing Campbell Soup, RCA, the Dorrance Foundation and both Camden banks put together a \$500,000 interest-free loan and formed the nonprofit corporation, Camden Housing Improvement Projects (CHIP). With an additional annual grant from the state, CHIP started buying vacant houses, the aim was not to make the usual "show street" splurge but to rescue the worst houses wherever they were located. When a homeowner saw things happening next door, he began to fix up his own place. Streets like Erle, are the outcome. "We are just beginning," says the hardworking CHIP director Jerome Weinstein. Owning a home, instead of paying endless rent to a landlord, who all too frequently neglects the property and his tenants, works wonders for a family."

**CHIP AVOIDS PATCH-UP REPAIR JOBS; THE AIM: THOROUGH REBUILDING TO MAKE HOUSES "NEW AGAIN"**

Each house is gutted and virtually rebuilt. Aluminum screens and storm windows are installed. Inside improvements include new wiring, copper plumbing and gas heat. Woodwork is replaced or repainted, and plenty of closets are built. "We use wallpaper and hardwood flooring," explains Weinstein. "They can be maintained as easily as wall paint and floor tiles. They cost about the same but give a place a cozy new-home feeling instead of the institutional look."

Facilities include bath with ceramic-tile shower, kitchen with new sink and wood cabinets, new gas range, refrigerator/freezer and modern washing machine.

**LOW MONTHLY PAYMENTS ENABLE EVEN THE POOREST FAMILIES TO AFFORD A HOME**

The average "new again" price for a typical row house of two or three stories and full basement is \$13,000. CHIP buyers pay \$200 down, plus \$75 to \$110 a month, depending on their income. HUD/FHA finances each house with a 40-year mortgage at interest as low as one percent. Even the poorest families can own a home.

Investigation of low-income housing scandals from Paterson, N.J., to Everett, Wash., indicates that experienced sponsors are the best insurance against the shabby practices of the fast-buck boys. Camden owes its success to a major commitment by influential private citizens.

"I really underestimated both the difficulties and the tremendous effect of CHIP," says Weinstein. Lately, his headache isn't working capital or costs but, as neighborhoods improve, a good supply of vacant houses.

**COMMITTEE TO BEGIN HEARINGS ON THE BANKING REFORM ACT OF 1971**

The **SPEAKER**. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ), is recognized for 10 minutes.

Mr. GONZALEZ. Mr. Speaker, on April 20 the House Banking and Currency Committee will begin hearings on one of the most important and, by the same token, one of the most controversial bills ever to come before it. On that date hearings will begin on H.R. 5700, the Banking Reform Act of 1971. During the following weeks members of the committee and the membership of the House will decide the basic question as to whether financial institutions will become more competitive or whether they are to be allowed to continue to move toward control of thousands of commercial and industrial entities through interlocking relationships and the manipula-

tion of assets owned by others in bank trust departments.

Nine democratic members of the Banking and Currency Committee, myself included, are cosponsoring the Banking Reform Act which was originated by Chairman WRIGHT PATMAN. In addition to this bill, the hearings will also consider H.R. 3287, which I have introduced. It contains a provision not included in the Banking Reform Act—one which I think should be made part of the committee's deliberations on the overall subject of conflict of interest and lack of competition among financial institutions.

In essence, my bill would prohibit any federally insured bank from making a loan for the purchase of stock in another bank. The legislation is designed to check a growing pattern of such loans because they result in a large bank acquiring a control position over smaller banks because the bank stock in question is held as collateral on such loans.

The situation raises antitrust law questions centering on discouraging competition among banking institutions because of the existence of this condition of control. Moreover, the bill goes to the question of whether the officers, directors, and employees of a large bank should be permitted to obtain loans from their own institutions to purchase an equity interest in competing banks.

In my view this is urgently needed and should become a part of any considerations concerning reform among federally insured and supervised commercial banks, savings and loan associations and their holding companies, and mutual savings banks, insurance companies and stock brokerage firms.

The Banking Reform Act goes to this broad field. It will encourage competition between these financial institutions by eliminating the conditions that have led, and will continue to lead, to conflict of interest on the part of officers, directors, employees, and trustees of such institutions.

The importance of this legislation cannot be overestimated because it goes to the heart of the issue of whether adequate loan funds at reasonable rates are to be made available to everyone who has a legitimate need for credit. It goes to the very core of achieving and sustaining a viable economy in the Nation.

**INTERLOCKING RELATIONSHIPS**

By their very nature, interlocking relationships between the officers, directors, and employees of one competing lending institution and another create basic conflict-of-interest situations. The divided loyalties and responsibilities of persons in such positions automatically impair their ability to act in the best interests of the stockholders and depositors of the lending institutions in question. The heavy interlocking relationship between the Penn Central Railroad board and large banks is a classic example of the problem.

A commercial bank officer who is a savings and loan association director cannot act in the best interests of both institutions when they are competing for depositors and loan customers.

The same principal holds true for interlocking relationships between the

officers, directors, employees, and trustees of commercial banks, savings and loan associations, and mutual savings banks and corporations when:

First. The corporations have a substantial and continuing loan relationship with these lending institutions;

Second. The corporations have employee benefit accounts managed by these lending institutions;

Third. The lending institutions exercise the voting power of 5 percent or more of any class of stock in corporations through securities held in trust accounts;

Fourth. The corporations and companies provide title, property appraisal, closing, and other real estate transaction services in connection with loans made by these lending institutions;

Fifth. Legal services are provided to customers of financial institutions by the officers, directors, or employees of these lending institutions.

H.R. 5700 prohibits the occurrence of any conflict of interest situation described above as of the date of enactment and requires elimination of such existing situations within 3 years following enactment for federally insured or supervised commercial banks, savings and loan associations, mutual savings banks, and credit unions.

The act also prohibits interlocking relationships between the officers, directors, and employees of federally insured and supervised lending institutions, the holding companies of other banks and savings and loan associations, as well as insurance companies and brokerage firms.

**COMMERCIAL BRIBERY**

During recent months the House Banking and Currency Committee staff has uncovered evidence which disclosed that one of the chief officers of a large corporation, without the knowledge of his employer, used his position to obtain a million dollar line of credit under unusually favorable conditions from a commercial bank in which the corporation had major deposits and loan accounts. It hardly needs to be said that such transactions are not in the best interests of either the stockholders and depositors of the bank or the stockholders of the corporation.

New York law prohibits such transactions. Using this as a pattern, H.R. 5700 makes it a violation of Federal law for certain financial institutions to provide personal benefits to officers, directors or employees of a firm which is involved in loan and other business transactions with the lending institution without the consent of the firm. The act would also make it a criminal violation for officers, directors and employees of the firm to accept such personal benefits as part of an effort by a lending institution to influence the firm in its behalf. This section of the act applies to federally insured and supervised commercial banks, mutual savings banks, savings and loan associations, credit unions, and to brokerage firms, insurance companies, bank and savings and loan holding companies.

**TRUST DEPARTMENT STOCKHOLDINGS**

Commercial banks, through their power to exercise the voting rights of stock held in their trust accounts, constitute a major and often controlling

force in the fortunes of the Nation's corporations. This continually expanding situation means that commercial banks can and do bend corporations to their own will, especially in terms of controlling the conditions under which credit is made available to these corporations. Commercial banks exercise this advantage without having to know what is best for these corporations or even having to invest their own funds. The danger presented by this situation is self evident. Moreover, it is contrary to the spirit of bank holding company laws, which are designed to prevent banks from owning or controlling nonbanking commercial and industrial enterprises.

Just as there is a need to protect corporations from commercial bank control, so too is there a need to protect the beneficiaries of trust accounts administered by these banks. In this connection, it should be recognized that commercial banks can and do purchase and hold their own stock for the trust accounts they administer. This practice creates a fundamental conflict-of-interest situation. It places the bank in the impossible situation of having to simultaneously exercise fiduciary responsibility for the affairs of the bank and the beneficiaries of the trust accounts which hold bank stock. This inescapably results in the use of these trust accounts for the benefit of the bank rather than the beneficiaries of the accounts.

In order to protect both the stockholders of corporations and the beneficiaries of trust accounts, H.R. 5700 prohibits any commercial bank from holding more than 10 percent of any class of stock in any corporation whose securities are publicly owned.

In addition, the act also prohibits commercial banks from holding their own stock or the stock of a parent holding company in the trust accounts which they administer.

As a further protection to the beneficiaries of trust accounts, the investing public in general and to supply valuable information to Congress and the agencies which supervise and regulate banks and securities transactions, H.R. 5700 requires commercial banks to disclose annually the assets which are held in their trust accounts, the voting rights provided the bank by these trusts, and how these voting rights were exercised.

#### LOAN RESTRICTIONS AND DISCLOSURE

The tight money/high interest conditions which dominated the Nation's economy in 1969 and 1970 stimulated the coercive, inflationary practice of equity participation by financial institutions, especially in regard to real estate development investments. Basically this amounts to a demand by the lender for a significant portion of the income or a share in the ownership of such investment projects in addition to the market interest rates which apply to loans. This in turn means that the lender is receiving an enormous return—an enormous effective interest rate on the loan—which forces the borrower to raise sales prices or rents to recover the loss. This practice amounts to large-scale usury, and circumvents the spirit of bank holding laws which prevent commercial banks from

owning and controlling nonbanking enterprises. H.R. 5700 would prohibit this practice by commercial banks, savings and loan associations, mutual savings banks, bank and savings and loan holding companies and insurance companies.

#### INSIDER LOANS

H.R. 5700 also prohibits commercial banks, savings and loan associations and mutual savings banks from making loans to corporations when the officers, directors, trustees, and employees of these lending institutions, or members of their immediate families, hold 5 percent or more of any class of stock in such firms. Without this restriction the resources of the lending institutions in question can be and have been used to provide insider loans, often for questionable investments, to benefit the persons who have the responsibility of protecting the interests of the banks and savings and loan associations which supply them.

#### INSIDER LOAN DISCLOSURE

To further protect commercial banks, savings and loan associations and mutual savings banks from abuse of authority by insiders, H.R. 5700 requires public disclosure of the nature and amount of loans made to their officers, directors, trustees, employees, and members of their immediate families. The Act also requires that the identity of persons receiving benefits from loans be disclosed to these lending institutions when the loan is made to an agent, trustee or nominee acting for the borrowers.

This section of the act is not only valuable in terms of protecting the lending institutions and their stockholders from insider abuses; it also is a guard against the fraudulent use of straw parties by some real estate speculators who depend on banks and savings and loan associations for the funds \* \* \*

#### BROKERED DEPOSITS

During the past several years brokered deposits—deposits which have been obtained by a fee or commission collected by an investor or an agent and often earmarked to be loaned to specific individuals or firms—have been shown to figure in an increasing number of financial institution failures. Lending institutions which accept such deposit agreements are made captives of such arrangements which many times result in highly questionable loans. When these loans go sour it is the lending institution and not the depositor or his agent that is responsible for the loss. Moreover, these losses often spell the difference between the survival or the collapse of these financial institutions.

For these reasons, H.R. 5700 prohibits commercial banks and savings and loan associations from accepting brokered deposits. It also prohibits anyone from receiving anything of value from these lending institutions in return for obtaining the funds of a third party for deposit or investment in commercial banks and savings and loan associations.

The prohibition extends to the offer of gifts, premiums, or any other items of value to bring in deposits.

#### INSURANCE FOR GOVERNMENT DEPOSITS

The failure of commercial banks and savings and loan associations because

of brokered deposits and other unsound financial practices has often resulted in the loss of substantial amounts of tax funds which local governments had on deposit with these failed financial institutions. Losses of this kind are often covered by insurance provided by the Federal Deposit Insurance and the Federal Savings and Loan Insurance Corporations, but in a number of instances the deposits exceeded the maximum amount of insurance available, and there was no recovery of funds in excess of the insurance limit.

Because these are funds on which local governments depend to operate, H.R. 5700 extends Federal Deposit Insurance and Federal Savings and Loan Insurance coverage to 100 percent of such deposits.

#### THE DEHUMANIZING OF HUMANS

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

Mr. HANLEY. Mr. Speaker, a few days ago, the majority leader of the House of Representatives charged that the telephones of several Members of the House and Senate are under tap, allegedly by the FBI. Although I have no proof of this one way or the other, like many of my colleagues I have long suspected that bugging and telephone tapping are quite rampant in Washington.

Because I do not have specific information, I shall not comment on the specific charges. I do want, however, to spend a few moments today discussing the implications of wiretapping and related activities as they pertain to what I call the closing of an open society.

For many years, I have been concerned about and have spoken about the increasing depersonalization of our society. I suppose what concerns me most is the fact that we have created a sort of technological frankenstein—the type of thing that George Orwell wrote about in his classic, "1984." While we claim to be an advanced and progressive civilization, we are becoming increasingly dependent upon mechanical and technical machinery in our everyday life. The immediate upshot of this involvement is to force the average individual—and that means every one of us—into an uncomfortable situation of heavy if not total reliance on these inanimate contrivances. We know, for instance, that human beings no longer control our credit ratings; that such things are handled by a huge piece of aluminum and neon enconced in an office building in downtown New York City. We are all aware that speeding violations no longer depend on the eye and the wit of a traffic officer; that an impersonal machine says with incontrovertible evidence whether or not we were actually doing 35 miles an hour in a 25-mile zone. We know that our monthly bank statements occasionally cause temporary cardiac arrest because a computer managed to withdraw \$100 more than our balance.

While these cases may only be examples of inconveniences, they run to the heart of my thesis. They are symptomatic of a wider disease in the society—a disease which ultimately evis-

dences itself in the type of thing the majority leader tried to spell out in his charges. It is the dehumanizing of human beings, the reduction of persons to mere statistical information and, ipso facto, the introduction of the idea that mere things do not need or deserve privacy.

We are all aware of the obvious dangers in this situation. But the subtle, less immediate consequences are more frightening. In short, where do we go from here? If telephones can be tapped with impunity, if clubs, offices, and even homes can be bugged by Government agents, if private lives can be questioned, snooped into and possibly publicized by individuals who have no direct responsibility to anyone or anything except a data bank in some obscure Government building, then we have effectively dispensed with one of the principal underpinnings of a free society. Privacy is to freedom what electricity is to a light bulb. You can have the latter without the former, but it does not mean anything and it would not work.

I am deeply concerned about the direction our Government is moving in on this subject. Instead of striving to maintain an open society, we seem to be doing our best to close the doors on free expression by subtle intimidation and in some instances, outright badgering.

The first and fourth amendments to the Constitution were not drawn up as literary toys. They had and still have a very pointed purpose; to guarantee and protect personal liberty. Any attempt to thwart that intention, whether direct or oblique, flies in the face of everything we hold dear. Privacy can be sacrificed on the altar of expediency, only at the risk of having the altar fall over on us.

There are some in our midst who think the price of liberty is not eternal vigilance but eternal surveillance. Thomas Jefferson must be doing cartwheels in his grave.

#### LET THESE PEOPLE GO

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, I have just returned from a 1 week visit to Leningrad and Moscow to investigate for myself the plight of imprisoned Soviet Jews. Before presenting a summary report of what I saw and heard, let me give you some background about the situation in the Soviet Union today.

Last year, between June and December, 25 Soviet Jews were arrested in several cities in the Soviet Union. They have been held in prison on undisclosed charges—some for almost 10 months, even though Soviet law requires that anyone arrested be tried within 9 months or be set free. The Soviet authorities recently announced that these Jews would be tried early in April in secret proceedings in separate cities within the Soviet Union.

I was urged by constituents, in effect at the 11th hour, to travel to the Soviet

Union before any trials were held to inquire about the plight of these prisoners and their families.

I was in the Soviet Union from March 30 through April 6. During this trip I visited Leningrad and Moscow.

In Leningrad, I talked with two of the families of the prisoners in one of their homes. We assumed that I was followed to their apartment by the secret police and that the telephone in their apartment, and perhaps the street phone which I used in making the appointment, was tapped. Still the families were happy to receive me although it was clear they were terribly afraid—afraid primarily for their loved ones in jail but also for themselves. We talked in whispers fearing the apartment was bugged.

They believed the nine Jews being held for trial in Leningrad are now illegally imprisoned because they have been held for more than 9 months. During that period the wives have not been permitted to see the prisoners and only one letter has been received by each of the two families. No mail is permitted to be sent by the wives to the imprisoned men. The wives believe that their husbands were arrested because they had copied and photographed Jewish and Hebrew translations of text books as well as having stated their wish to emigrate to Israel.

The wives said that they and their husbands were not anti-Soviet but wished to go to Israel where they could live as Jews without fear or prejudice. It was clear they had thrown caution to the winds in seeing me but they know that only world opinion—aroused and maintained—will cause the Soviet Union to relent and free these men and perhaps even permit their immigration to Israel. They said so eloquently with their eyes and with their words, "Help us." I must confess that all of us found it difficult to restrain tears. Somehow in the 45 minutes we were together, even the silences were as moving as the conversation. I asked a young woman present if her husband was in jail. She laughed with tears in her eyes, and said, "Not today," pointing to a young man sitting with us, "but who knows of tomorrow." When I left we kissed and embraced. I told them people in the United States, of all faiths and beliefs, were concerned for their welfare and want to help.

I sought to make appointments myself and through the American consulate offices in Leningrad with representatives of the Soviet Union including Mr. Sizov and Mr. Barulin who represent the city Soviet of Leningrad and with Mr. Silantjev, the prosecutor of Leningrad, as well as with representatives of the District Soviet of Leningrad, the city and district party committee, and the city board of advocates. Again and again they refused to see me.

I left for Moscow where American Embassy officials and especially Ambassador Jacob Beam were very cooperative. I was able to arrange two interviews. One was with Andre A. Korobov, president of Injurcollegula, a major Soviet attorneys' association. I told him the defendants in the Leningrad case were being held without trial in violation of the law. At my request, he said he would bring it to

the attention of Soviet Attorney General Rodenko.

I also saw Aron Vergells, editor in chief of the magazine *Sovietische Heimland*, and himself a Soviet Jew. He is normally the person designated by the Soviet Union to speak on the Jewish question in response to foreign criticism. I asked him how the Soviet Union could pride itself on keeping its treaty commitments when it refused to honor such basic rights as stated in the International Convention on the Elimination of all Forms of Racial Discrimination which the Soviet Union signed in 1969. He replied that in the Soviet Union all citizens, including Jews, are free to leave. When I pointed out that there are thousands who have requested permission and have not been permitted to leave, he admitted that this is so but gave two reasons: First, that the Soviet Union wants to be sure that Jews going to Israel realize the danger in that area of the world and second, that the Soviet Union does not want to provide Israel with a military advantage.

I spoke at some length with Jews at the Moscow Synagogue where last Saturday's service was well attended. They, and the Americans in Moscow I met with, indicated that, at the very least, 300,000 or 10 percent of the Soviet Jewish population would emigrate if allowed. It is remarkable that so many Soviet Jews have publicly defied the Soviet authorities by demanding the right to emigrate.

We saw what happened when the world outside caused the Soviet authorities to commute the death sentences in the recent hijacking case. I believe that the continued pressure of world opinion will ultimately help to free the prisoners and permit the exodus of Jews from the Soviet Union.

Since returning Tuesday night, I have already talked with a number of my colleagues in the Congress and I have urged them to take a similar interest in the plight of these prisoners and their families. And I have written to Secretary of State Rogers urging that our Government take stronger public measures to effect a change in Soviet policy.

Friday night commences the Passover holidays which commemorates the exodus of the Jews from Egypt. Moses said to Pharaoh, "Let my people go." The people of the world should now with one voice say to the Soviet Union, "Let these people go."

#### LIEUTENANT CALLEY

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, I am amazed to find so many people in this country coming to the defense of Lt. William L. Calley, recently convicted of shooting and killing innocent civilians.

I wish to insert in the RECORD a column by the distinguished conservative William F. Buckley, Jr., on this matter. I would also like to call to the attention of our colleagues the letter which Capt. Aubrey M. Daniel III sent to President Nixon.

I think Mr. Buckley's column and Captain Daniel's letter are thoughtful and responsible rebuttals to the public clamor to "free Calley."

#### OBSERVATIONS ON CALLEY REACTION

The reaction to the conviction of Lt. William L. Calley has greatly surprised everyone, and is directly responsible for President Nixon's sudden intervention. It appears that the mail is altogether lopsided, 100-1 in favor of Calley. And that is a vexing datum, inasmuch as Americans do not usually rally to the cause of someone who, it has been determined, aimed a rifle at old ladies and little children, and killed them.

A few observations:

The American people are very well aware that a diligent effort is being made to discredit the military. They sense, moreover, the effort springs from other than mere technical dissatisfaction with the performance of the military. It is one thing to say that Gen. William Westmoreland is incompetent because he assured us over and over again that the Vietnam war was on the verge of being won, dozens of thousands of casualties ago. It is another to scoff at the military in what amounts to generic terms, and that is the kind of criticism that is being leveled.

It is the fruit of a cultural assault, of which Dr. Strangelove was a historical landmark, and CBS's "The Selling of the Pentagon" a recent expression. In between is the running contumely, the closing down of ROTC chapters in the fashionable colleges, the decline in re-enlistment, the chaos surrounding the draft laws.

All of this is not merely derogation of an American institution: It is the derogation of the institution that is supposed to defend the Republic against foreign enemies. So that without exactly realizing why, many Americans view the conviction of Calley as an elaboration of the attack on the military. And they view the attack on the military as a vote of no confidence in the society the military is supposed to defend.

It is, moreover, widely suspected that Calley is a "scapegoat." The word is being used loosely: Too loosely. Properly used, a scapegoat is an innocent who is singled out to receive the punishment that should properly be visited elsewhere. Calley's situation is not such.

In the first place, there is apparently no doubt that he did kill 22 persons whom he had no reason to kill. But the court-martial is not over: His immediate superior is about to be tried, and so is the immediate superior of his superior. Whether it will reach on above the brigade level one cannot at this point be certain, but already, there is hardly evidence that the case is being ended with Calley as scapegoat.

To the extent that the public is outraged that Calley should be singled out for court-martial, one needs to urge reflection. It is true that only one man out of perhaps 500 is stopped on the highway for speeding. It is the luck of the draw, and one feels a twinge of bitterness when it happens to oneself, knowing of all the others who got away.

But are we really prepared to believe that what Calley did in South Vietnam was routine? I do not doubt that there are other living and unnoticed American soldiers who have taken innocent lives illegally. But surely one should await the evidence, before presuming that the American military has become so calloused and cruel and irresponsible as to make My Lai massacres altogether workaday phenomena?

The point about My Lai surely is that it is an aberration—an atrocity. Not that it is the victimization of only a single man who happened to be caught. Those Americans who protest the Calley verdict thus indiscriminately are unwittingly allied with others who are desirous to believe that Calley is a typical product of the American womb.

As regards the question of ultimate responsibility, the public is entitled to be confused. We hanged General Yamashita after the Second World War, and if we applied rigorously the logic of that execution, we would have a case for hanging Gen. Westmoreland. That would be preposterous and cruel. So that we learn, gradually, what some people knew and warned against in 1945: Victors' justice.

We are overdue for shame in our complicity in the Nuremberg-Tokyo trials. But whatever we do to amend these doctrines, it is inconceivable that we should come up with new rules of war that permit to go unpunished such an act as Calley was found guilty of, and I for one am proud of a country that makes such activity punishable by imprisonment or death.

#### DANIEL'S LETTER TO PRESIDENT

APRIL 3, 1971.

THE PRESIDENT OF THE UNITED STATES  
White House,  
Washington, D.C.

SIR: It is very difficult for me to know where to begin this letter as I am not accustomed to writing letters of protest. I only hope that I can find the words to convey to you my feelings as a United States citizen, and as an attorney, who believes that respect for the law is one of the fundamental bases upon which this nation is founded.

On Nov. 26, 1969, you issued the following statement through your press secretary, Mr. Ronald Ziegler, in referring to the My Lai incident:

An incident such as that alleged in this case is in direct violation not only of U.S. military policy, but is also abhorrent to the conscience of all the American people.

The Secretary of the Army is continuing his investigation. Appropriate action is and will be taken to assure that illegal and immoral conduct as alleged be dealt with in accordance with the strict rules of military justice.

This incident should not be allowed to reflect on the some million and a quarter young Americans who have now returned to the United States after having served in Vietnam with great courage and distinction.

At the time you issued this statement, a general court-martial had been directed for a resolution of the charges which had been brought against Lt. William L. Calley Jr. for his involvement at My Lai.

On Dec. 8, 1970, you were personally asked to comment on the My Lai incident at a press conference. At that time you made the following statement:

... what appears was certainly a massacre, and under no circumstances was it justified.

One of the goals we are fighting for in Vietnam is to keep the people of South Vietnam from having imposed upon them a government which has atrocity against civilians as one of its policies.

We cannot ever condone or use atrocities against civilians in order to accomplish that goal.

These expressions of what I believe to be your sentiments were truly reflective of my own feelings when I was given the assignment of prosecuting the charges which had been preferred against Lt. Calley. My feelings were generated not by emotionalism or by selfrighteous indignation but by my knowledge of the evidence in the case, the laws of this nation in which I so strongly believe, and my own conscience.

I knew that I had been given a great responsibility and I only hoped that I would be able to discharge my duties and represent the United States in a manner which would be a credit to the legal profession and our system of justice.

I undertook the prosecution of the case without any ulterior motives for personal gains, either financial or political. My only

desire was to fulfill my duty as a prosecutor and see that justice was done in accordance with the laws of this nation. I dedicated myself totally to this end from November of 1969 until the trial was concluded.

#### ABIDING CONVICTION

Throughout the proceedings there was criticism of the prosecution, but I lived with the abiding conviction that once the facts and the law had been presented there would be no doubt in the mind of any reasonable person about the necessity for the prosecution of this case and the ultimate verdict. I was mistaken.

The trial of Lt. Calley was conducted in the finest tradition of our legal system. It was in every respect a fair trial in which every legal right of Lt. Calley was fully protected. It clearly demonstrated that the military justice system which had previously been the subject of much criticism was a fair system.

Throughout the trial, the entire system was under the constant scrutiny of the mass media and the public, and the trial of Lt. Calley was also in a very real sense the trial of the military judicial system. However, there was never an attack lodged by any member of the media concerning the fairness of the trial. There could be no such allegation justifiably made. I do not believe that there has ever been a trial in which the accused's rights were more fully protected, the conduct of the defense given greater latitude, and the prosecution held to stricter standards. The burden of proof which the government had to meet in this case was not beyond a reasonable doubt but beyond possibility. The very fact that Lt. Calley was an American officer being tried for the deaths of Vietnamese during a combat operation by fellow officers compels this conclusion.

The jury selection, in which customary procedure was altered by providing both the defense and the prosecution with three preemptory challenges instead of the usual one, was carefully conducted to insure the impartiality of those men who were selected. Six officers, all combat veterans, five having served in Vietnam, were selected. These six men who had served their country well were called upon again to serve their nation as jurors and to sit in judgment of Lt. Calley as prescribed by law. From the time they took their oaths until they rendered their decision, they performed their duties in the very finest tradition of the American legal system. If ever a jury followed the letter of the law in applying it to the evidence presented, they did. They are indeed a credit to our system of justice and to the officer corps of the United States Army.

#### TOTALLY SHOCKED

When the verdict was rendered, I was totally shocked and dismayed at the reaction of many people across the nation. Much of the adverse public reaction I can attribute to people who have acted emotionally and without being aware of the evidence that was being presented and perhaps even the laws of the nation regulating the conduct of war. These people have undoubtedly viewed Lt. Calley's conviction simply as the conviction of an American officer for killing the enemy. Others no doubt out of a sense of frustration have seized upon the conviction as a means of protesting the war in Vietnam. I would prefer to believe that most of the public criticism has come from the people who are not aware of the evidence either because they have not followed the evidence as it was presented, or having followed it they have chosen not to believe it. Certainly, no one wanted to believe what occurred at My Lai, including the officers who sat in judgment of Lt. Calley. To believe, however, that any large percentage of the population could believe the evidence which was presented and approved of the conduct of Lt. Calley would be as shocking to my conscience as the con-

duct itself since I believe that we are still a civilized nation. If such be the case, then the war in Vietnam has brutalized us more than I care to believe, and it must cease. How shocking it is if so many people across this nation have failed to see the moral issue which was involved in the trial of Lt. Calley—that it is unlawful for a soldier to summarily execute unarmed and unresisting men, women, children, and babies. But how much more appalling it is to see so many of the political leaders of the nation who have failed to see the moral issue or, having seen it, to compromise it for political motives in the face of apparent public displeasure with the verdict. I would have hoped that all of the leaders of this nation, which is supposed to be the leader within the international community for the protection of the weak and the oppressed regardless of nationality, would have either accepted and supported the enforcement of the laws of this country as reflected by the verdict of the court or not make any statement concerning the verdict until they had had the same opportunity to evaluate the evidence that the members of the jury did.

In view of your previous statements concerning this matter, I have been particularly shocked and dismayed at your decision to intervene in these proceedings in the midst of the public clamor. Your decision can only have been prompted by the response of a vocal segment of our population, who while no doubt acting in good faith, cannot be aware of the evidence which resulted in Lt. Calley's conviction. Your intervention has, in my opinion, damaged the military judicial system and lessened any respect it may have gained as a result of these proceedings. You have subjected a judicial system of this country to the criticism that it is subject to political influence when it is a fundamental precept of our judicial system that the legal processes of this country must be kept free from any outside influences. What will be the impact of your decision upon future trials, particularly those within the military?

Not only has respect for the legal process been weakened and the critics of the military judicial system been given support for their claims of command influence, the image of Lt. Calley, a man convicted of the premeditated murder of at least 22 unarmed unresisting people, as a national hero has been enhanced, while at the same time support has been given to those persons who have so unjustly criticized the six loyal and honorable officers who have done this country a great service by fulfilling their duties as jurors so admirably. Have you considered those men in making your decisions? The men who since rendering their verdict have found themselves and their families the subject of vicious attack upon their honor, integrity and loyalty to this nation. It would seem to me to be more appropriate for you as the President to have said something in their behalf and to remind the nation of the purpose of our legal system and the respect it should command. I would expect that the President of the United States, a man whom I believe should and would provide the moral leadership for this nation, would stand fully behind the law of this land on a moral issue which is so clear and about which there can be no compromise. For this nation to condone the acts of Lt. Calley is to make us no better than our enemies and make any pleas by this nation for the humane treatment of our own prisoners meaningless.

I truly regret having to have written this letter and wish that no innocent person had died at My Lai on 16 March 1968. But innocent people were killed under circumstances that will always remain abhorrent to my conscience. While in some respects what took place at My Lai has to be considered a tragic day in the history of our nation, how much more tragic would it have been for this

country to have taken no action against those responsible. That action was taken, but the greatest tragedy of all will be if political expediency dictates the compromise of such a fundamental moral principle as the inherent unlawfulness of the murder of innocent persons, making the action and the courage of six honorable men who served their country so well, meaningless.

Respectfully yours,

AUBREY M. DANIEL III  
Captain, JAGC, Trial Counsel, United States v., Calley.

cc: Hon. Harry F. Byrd, Jr., Hon. William B. Spong, Jr., Hon. Harold Hughes, Hon. George McGovern, Hon. Edmund S. Muskie, Hon. Robert Taft.

#### SOIL CONSERVATION

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

Mr. SCHERLE. Mr. Speaker, I come to you in support of a realistic 1972 budget for the Soil Conservation Service. Our Nation's goals in developing rural America and improving the quality of the environment depend largely upon the wise use and proper care of our soil, water, and related resources.

Money appropriated for the program of the Soil Conservation Service is a sound investment. With the current emphasis on environmental quality, we often overlook established agencies who have the technology to meet environmental needs, providing they have the necessary support. My primary concern is that we are continuing to lose trained personnel to work in assisting Soil Conservation Districts at the county level. We have lost 1,200 of these people nationwide during the last 4 years, and in my own State of Iowa, we have lost nearly 100 people in this same period of time.

Soil Conservation Districts have established a reputation of making sound and efficient use of technical assistance furnished by the Soil Conservation Service. Through this sound, Federal-State-local working relationship, we should continue to focus more attention on the going programs designed to plan and develop our land and water resources.

My support for these programs is well known and I have continuously fought for the recognition that the programs justly deserve. Our conservation program accomplishments have proven their worth over the years and have shown benefits worthy of our investment.

The benefits of this investment accrue to every U.S. citizen. The housewife who fills her grocery shopping cart with plastic-wrapped packages may not fully appreciate that meat, eggs, milk, bread, potatoes, and cornflakes all result from well managed soil. The abundance of food endlessly displayed on supermarket shelves, impressive as it may be, will represent the principal and not the interest from our land resources unless they are continually protected.

Despite the efforts of dedicated soil conservationists, erosion is still excessive on 63 percent of the Nation's 437 million acres of cropland, according to the recently completed soil and water conservation needs inventory.

In my home State of Iowa where 95 per-

cent of the total land area is devoted to agriculture, including much of the Nation's very best soil, 66 percent of the land needs additional conservation treatment if a sustained resource base is to be maintained without excessive erosion resulting in further deterioration of our environment.

We must make an effort to support a realistic budget toward improving the quality of the environment through conservation programs carried out through soil conservation districts. As we enter this period of the 1970's with increased national concern for the quality of the environment, it is highly inconsistent for the Federal Government to take action that would further reduce technical assistance on the Nation's private lands.

Of real concern to soil conservation district officials and other leaders is the level of funding to provide day to day technical assistance to individuals and other land users in applying on the land conservation measures. If these increasing demands are to be met in conserving soil and water resources of individual soil conservation districts, the proposed budget estimate of \$135 million for technical assistance through the Soil Conservation Service will need to be raised to at least \$150 million.

A part of the soil and water conservation program that is so popular throughout the Nation today is the watershed protection and flood prevention program. This program, as you know, solves soil and water conservation problems on a complete watershed basis. Community benefits in my area have included conserving water for industrial and municipal uses, recreation developments, and the reduction of floodwater and sediment damages.

If urban and rural communities are to deal effectively with their land and water problems, this phase of the program must be raised from the budget estimate of \$80 to \$107 million. The progress of this program in the Nation has been inspiring. It is a popular and effective program because people receiving support from it are from all walks of life and in most cases it benefits all the people.

Resource conservation and development projects as administered by the Soil Conservation Service have given rural people the opportunity and means to raise the economic level of their community through resource development. The leadership of this Nation is especially interested in types of development which stimulate rural economic growth and will reduce the outmigration from rural areas. In my home district, the southern Iowa R.C. & D. project has brought together people from seven counties in an effort to make better use of the total resources of the area. With assistance of the Soil Conservation Service and other agencies, they have made plans that will bring about new jobs, economic improvement of the area, additional income, and improved community facilities. This kind of a program allows local people to direct their efforts and those of all agencies toward community and area development. The current budget estimate for this part of the pro-

gram for 1972 is at a level of about \$14 million a year. A more realistic figure of \$20 million is necessary for the Soil Conservation Service if we are going to help rural areas do an adequate job to upgrade rural living.

In hundreds of communities throughout the Nation, large and small, the Soil Conservation Service, working through local soil conservation districts, has made significant contributions in dealing with agriculture-related pollutants of soil, water, and air. These program activities are designed to complement and supplement each other to the extent that there will be an improvement in our total environment.

If these programs are to continue moving in the direction of meeting our environmental goals for quality in our living, your support is needed in funding these programs. The funding levels I have suggested are consistent with the recommendations of the National Association of Conservation Districts.

#### TAKE PRIDE IN AMERICA

(Mr. MILLER of Ohio asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a Nation. The Evergreen Point Bridge in Washington consists of 33 floating concrete pontoons weighing 4,700 tons each, held in place by 77-ton concrete anchors. The pontoon structure is 6,561 feet long and, with approaches, the bridge is 12,596 feet long.

#### SEX DISCRIMINATION AT WRC/NBC

(Mrs. ABZUG asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. ABZUG. Mr. Speaker, last month a group of courageous women employees at a local radio-television station here in Washington filed job discrimination charges against their employer. The women work for WRC/NBC, and they took the unprecedented action of filing charges against the station with three separate Federal agencies: The Federal Communications Commission, the Equal Employment Opportunity Commission, and the Office of Federal Contract Compliance.

I support this action and, together with other women Members of Congress, I call upon the agencies to investigate these charges immediately and to end sex discrimination at WRC—and at its parent company, the National Broadcasting Co.—without delay.

Sex prejudice is deeply ingrained in our society, and no one is more aware of it than a woman Member of Congress. All of us had to fight to get here. All of us had to fight to overcome the male myths that said that, as political women, we were fit only to check voting records,

distribute leaflets, and ring doorbells. All of us had to run twice as hard as our male colleagues to prove not only our own credentials, but to prove that women are capable of holding office and exercising political power in the first place.

We made it—at least this far—but other women have not. So we support others, like the WRC women, who are risking their jobs to fight discrimination in employment. Mrs. CHISHOLM, Mrs. MINK, Mrs. GRASSO, and I are proud to submit, at this point in the RECORD, a copy of the charges filed by the women, a newspaper article about their case, and our letter to the Federal agencies before whom the matter is pending:

APRIL 7, 1971.

To: Equal Employment Opportunity Commission, 1800 G Street NW., Washington, D.C.

Attention: Chairman Brown, Commissioner Walsh.

Mr. William B. Ray, Chief, Complaints and Compliances Division, Federal Communications Commission, 1919 M Street NW., Washington, D.C.

The Honorable JAMES D. HODGSON, Secretary, Department of Labor, Washington, D.C.

DEAR \_\_\_\_\_:

This letter is to request a progress report on your investigation of job discrimination charges filed by women employees at WRC and WRC-TV, the NBC-owned stations here in Washington. These charges, filed March 2, 1971, were the first such charges filed simultaneously at three federal agencies: the Federal Communications Commission, the Equal Employment Opportunity Commission and the Office of Federal Contract Compliance.

We consider the allegations extremely serious. The absence of women in major job categories, the presence of only one woman in a management position, the discriminatory maternity leave policy and the failure of the company to establish and implement an affirmative action program indicate that NBC, a giant in the broadcasting industry, is operating in violation of federal law. To make matters worse, it appears that the station has threatened retributory action against some of these female employees who have pursued their rights for equal and non-discriminatory treatment. Prompt action by your agency is therefore clearly necessary.

We don't need to spell out for you the power of radio and television. Nor do we need to remind you of the obligation of broadcasters to operate in the public interest and of the requirement that federal contractors and private employers operate on a non-discriminatory basis. If WRC discriminates in its employment policies, then inevitably its service—the programming which is communicated over the public airwaves—is tainted with discrimination, further demeaning the image of women.

As women Members of Congress, especially sensitive to the problems of sex discrimination, we urge you to process this charge expeditiously and to inform us of your progress in doing so.

Sincerely,

BELLA S. ABZUG,  
PATSY T. MINK,  
SHIRLEY CHISHOLM,  
ELLA T. GRASSO,  
Members of Congress.

[From the Wall Street Journal, Mar. 3, 1971]

CHARGES OF SEX BIAS FILED AGAINST NBC'S 3 STATIONS IN CAPITAL: THREE WOMEN'S RIGHTS GROUPS ALLEGE JOB DISCRIMINATION AT WRC-TV, WRC-AM, FM

WASHINGTON.—Women's rights groups filed sex discrimination charges with three gov-

ernment agencies against three Washington-based stations owned by National Broadcasting Co., a subsidiary of RCA Corp.

The stations, WRC-TV and WRC-AM and FM, are among the "very few" broadcast stations to be formerly charged with job discrimination based on sex, a government official stated. An NBC spokesman said in New York the company was studying the charges "but at this point they appear to be without foundation."

The charges were filed simultaneously with the Federal Communications Commission, the Equal Opportunity Commission and the Labor Department's Office of Federal Contract Compliance. Making the complaints were the Women's Rights Committee of WRC-NBC, the Women's Equity Action League and the Washington chapter of the National Organization for Women.

The three groups contend that WRC-NBC violates Title VII of the Civil Rights Act of 1964, which prohibits discriminatory employment practices, and the equal employment regulations of both the FCC and the OFCC. A representative of the women's groups said this was the first such charge against a broadcaster to be filed with the OFCC, which requires government contractors to operate on a nondiscriminatory basis. RCA is a large government contractor.

The three groups contend that WRC-NBC violates Title VII of the Civil Rights Act of 1964, which prohibits discriminatory employment practices, and the equal employment regulations of both the FCC and the contract compliance office. A representative of the women's groups said this was the first such charge against a broadcaster to be filed with the contract compliance office, which requires government contractors to operate on a nondiscriminatory basis. RCA is a large government contractor.

In the complaint filed with the FCC, the women's groups allege that WRC-NBC has engaged in "a pattern and practice of systematic discrimination against women." Specifically, the complaint charged, WRC has "failed or refused" to recruit, hire and promote female employees.

Also the complaint alleges that no women have been hired for major job categories such as directors, film editors, announcers and engineers. Of the 24 positions designated "manager" or "department head" only one is held by a woman the complaint says. Instead women have been restricted to lower-paying jobs according to the complaint.

No official was immediately available at WRC-NBC for comment.

A spokesman for the EEOC said the only similar charge to be made against a broadcaster was filed last year against an Ohio station for allegedly failing to hire female announcers. The official declined to identify the station in the Ohio case charges against which are still pending.

The Washington complaint asks the FCC to investigate the alleged discriminatory practices at both WRC-NBC and other NBC-owned stations and major affiliates. At the same time the complaint asks the FCC to require the three WRC stations to begin "affirmative action programs" aimed at correcting the alleged abuses.

The women's organizations requested the EEOC to investigate the charges and turn the case over to the Justice Department if warranted.

CHARGE OF UNLAWFUL EMPLOYMENT PRACTICES ENGAGED IN BY NBC/WRC-TV AND NBC/WRC-AM/FM

TO THE COMMISSION:

We the undersigned hereby charge that NBC/WRC-TV and NBC/WRC-AM/FM (hereinafter referred to as WRC) have violated Title VII of the Civil Rights Act of 1964 by engaging in the following unlawful and discriminatory employment practices:

1. WRC has engaged in a pattern and practice of systematic failure or refusal to recruit and hire prospective employees and promote present employees without discrimination on the grounds of sex. Women have, therefore, been restricted in access to job categories and have been precluded from earning salaries as high as those being earned by men whose job opportunities have not been restricted.

The following brief statistical summary is prima facie evidence of such discriminatory employment practices. Although 51% of Americans are female, only 20% of the workforce at WRC are women. Of the 10 directors employed, none is a woman. Of the 8 operations directors, none is a woman. Of the 14 announcers, none is a woman. Of the 3 unit managers, none is a woman. Of the 18 employed on film crews, none is a woman. Of the 28 film editors and processors, none is a woman. Of the 96 engineers, none is a woman. And of the 24 managerial heads or chiefs of departments, 1 is a woman.

2. WRC has no women employed as radio or television salespersons and refuses to hire any women for those positions. For example, in order to evade its obligations to hire on a non-discriminatory basis, and in order to discourage any potential women applicants from either learning of job openings in this category or from applying for such openings, in February, 1971, WRC/AM/FM hired a new male employee before terminating the employment of the male incumbent and without making any effort to advertise the availability of such position to all who might be qualified as had been its prior policy.

3. In December, 1970, WRC management personnel announced to two women who qualified for a vacancy in the position of Administrator, Press and Publicity, that women would not be considered for such job category. The two individuals were, in fact, denied any consideration for such vacancy. After substantial pressure was exerted by women employees at WRC, a woman from outside the company was finally hired to fill this vacancy. However, the two individual women who were denied consideration for this job vacancy on the grounds of sex alone, still hold their original positions and have received no indications of being considered for promotions in the interim.

4. WRC has threatened women employees, who have been actively pursuing their right to equal and non-discriminatory employment opportunities, that they will be denied promotions or job increases in the future. In particular, one woman employee was forbidden to attend a meeting of the Women's Rights Committee and was told she could not take a leadership role in the activities of the Women's Rights Committee if she expected to be considered for any promotions.

5. Numerous terms and conditions of employment at WRC, including personnel rules regarding the day-to-day management of operations at WRC, differentiate between employees solely on the grounds of sex. For example, in the matter of maternity absences, women are forced to take their time off without pay rather than use accrued sick leave, and are forced to take a four month period of time off rather than the amount of time dictated by their own individual medical needs which may be far less than four months. No such limitations are imposed on men taking time off for medical problems.

6. WRC has refused to submit any written data substantiating its defense against the charges of employment discrimination by sex made by the Women's Rights Committee. Nor has WRC made available to its female employees the Equal Employment Opportunity statistics it is required to file with the Federal Communications Commission. WRC has refused to establish an af-

firmative action plan to end discrimination against women at WRC. It is clear from the foregoing that WRC is making no good faith effort to end its patent employment discrimination against women and that such discrimination is conscious, willful, and intentional.

MARCH 2, 1971.

Mr. WILLIAM B. RAY,  
Chief, Complaints and Compliances Division,  
Federal Communications Commission,  
Washington, D.C.

DEAR MR. RAY: The WRC Women's Rights Committee and the Washington chapter of the National Organization for Women hereby charge that WRC-TV and WRC-AM/FM, as well as other Owned Stations of the National Broadcasting Company, have violated Sections 73.125, 73.301 and 73.680 of the Commission's Rules and Regulations by engaging in a series of unlawful and discriminatory employment practices.

Sections 73.125, 73.301 and 73.680 provide:

1. That no licensee shall discriminate in employment based upon sex, and

2. That every licensee shall establish a continuing positive program to assure equal opportunity in every aspect of station employment policy and practice.

WRC has violated these provisions in the following ways:

1. Since July 10, 1970, when the new rules took effect, WRC has continued to engage in a pattern and practice of systematic discrimination against women. Specifically, WRC has failed or refused to recruit and hire prospective employees or to promote present employees without discrimination on the grounds of sex. Women have, therefore, been restricted in access to job categories and have been precluded from earning salaries as high as those being earned by men whose job opportunities have not been restricted.

The following brief statistical summary is prima facie evidence of a present pattern of discriminatory employment practices:

Although 51% of Americans are female, only 20% of the work force at WRC are women;

Of the 10 Directors employed, none is a woman;

Of the 8 Operations Directors employed, none is a woman;

Of the 14 Announcers, none is a woman;

Of the 3 Unit Managers, none is a woman;

Of the 18 employed on film crews, none is a woman;

Of the 28 Film Editors and Processors, none is a woman;

Of the 96 Engineers, none is a woman; and

Of the 24 Managerial heads or chiefs of departments, one is a woman.

2. Since July 10, 1970, WRC has employed no women as Radio or Television Salespersons and refuses to hire any women for those positions. In order to evade its obligation to hire on a non-discriminatory basis, and in order to discourage any potential women applicants from either learning of job openings in this category or from applying for such openings, in February 1971, WRC-AM/FM hired a new male employee before terminating the employment of the male incumbent and without making any effort to advertise the availability of such position to all who might be qualified as had been its prior policy.

3. In recent weeks WRC has refused to consider qualified women employees for a vacancy in the position of Administrator, Press and Publicity. Station officials said privately they were under instructions to hire a man, and they hired a woman, when a vacancy in fact did occur, only under pressure from the Women's Rights Committee.

4. In recent weeks, WRC has threatened women employees who have been actively pursuing their right to equal and non-discriminatory employment opportunities, that they will be denied promotions or job in-

creases in the future. In particular, one woman employee was forbidden to attend a meeting of the Women's Rights Committee and was told that she could not take a leadership role in the activities of the Women's Rights Committee if she expected to be considered for any promotions.

5. At present, numerous terms, conditions and benefits of employment at WRC, including personnel rules regarding the day-to-day management of operations at WRC, have differentiated between employees solely on the grounds of sex. For example, in the matter of maternity absences, women are forced to take their time off without pay rather than use accrued sick leave, and are forced to take a four-month period of time off without pay rather than use accrued sick leave, and are forced to take a four-month period of time-off rather than the amount of time dictated by their own individual medical needs, which may be far less than four months. No such limitations are imposed on men taking time off for medical problems.

6. Furthermore, WRC has failed to respond affirmatively when confronted with the legitimate grievances of the Women's Rights Committee. For example, the station refused to submit any written data substantiating its defense against the Committee's charges of employment discrimination by sex. Nor has WRC made available to its female employees the E.E.O. statistics it is required to file in its annual employment report to the Federal Communications Commission. Moreover, despite the new FCC requirements, in effect since July 10, 1970, WRC has failed and refused to establish an affirmative action plan to end discrimination against women.

7. It is clear from the foregoing that WRC is guilty of patent employment discrimination against women and that such discrimination is conscious, willful and intentional. Furthermore, contrary to FCC requirements, WRC is making no effort to eradicate sex discrimination by establishing the "positive continuing program" called for in Rules 73.125, 73.301 and 73.680.

In addition, sex discrimination at WRC is only a part of a networkwide pattern. WRC is owned by the National Broadcasting Company. The National Broadcasting Company owns or is affiliated with local stations in nine of the nation's top ten television markets. In each of these stations, women are totally unrepresented in management positions; of the 74 top jobs, not one, according to listings compiled from the 1970 Broadcasting Yearbook, is held by a woman.

Sex discrimination in broadcasting is important not only because it denies job opportunities to women in the broadcast industry, but also because of its inevitable effect upon programming. It is our view that entertainment, news broadcasts and television commercials prepared exclusively by men cannot help but present a biased picture of women. Furthermore, we do not believe a station can serve the public interest, as it is required to do under the Federal Communications Act, if it systematically violates national policy against sex discrimination in employment.

For these reasons, we urge the Commission to conduct an immediate investigation of discriminatory employment practices at both WRC and the other owned stations and major affiliates of the National Broadcasting Company. Because of the urgency of this matter and the likelihood of further retaliation by WRC management against individual women employees, we ask the Commission to consider this complaint on an expedited basis.

WOMEN'S EQUITY ACTION LEAGUE,  
Silver Spring, Md.

HON. JAMES D. HODGSON,  
Secretary, Department of Labor,  
Washington, D.C.

DEAR MR. SECRETARY: Please consider this letter as a formal charge of sex discrimina-

tion against WRC-TV and WRC-AM/FM, under Executive Order 11246, as amended. The Order forbids all Federal contractors from discriminating on the basis of sex. The parent company of the two NBC stations is the Radio Corporation of America (RCA), one of the largest contractors in the country.

The charges are based on a continuing pattern of discrimination against women in recruiting, hiring, and promotions, 20% of the work forces at WRC are women, yet there are no women at all among the 10 directors, the 8 operations directors, the 14 announcers, or the 3 unit managers. None of the 18 person film crew is female. None of the 28 film editors and processors is a woman, nor are there any women among the 96 engineers. Of 24 managerial heads and chiefs of departments, only one is a woman. None of the Radio Salesmen is a woman. Women are relegated to lower paying jobs with little chance of advancement.

Women who have actively worked to secure equal and nondiscriminatory employment opportunities for themselves and other women, as is their legal right to do so, have been threatened and harassed by company officials who have told them that they would not receive promotions and salary increments in the future if they continued their activity.

The company discriminates in its maternity leave policies which forbid women from using accrued sick leave for maternity absence. All pregnant employees must take a forced four month leave of absence regardless of their individual medical needs. Such leave policies violate Sec. 60-20.3(g) of the June 1970 Sex Discrimination Guidelines.

Moreover, neither RCA nor its facilities WRC-TV or WRC-AM/FM have ever developed or filed affirmative action plans for women as required by the Executive Order.

Therefore, we request an immediate compliance review of RCA and all its facilities including WRC, and that such a review include a full scale investigation of all recruiting, hiring, promotion and salary policies, and admission to in-house training programs including management training. We also request that all current contract negotiations be suspended immediately, and that no new contracts be issued until such time as all inequities have been corrected and a plan of affirmative action is developed and implemented. Please notify me when the investigation begins.

Sincerely,

(Dr.) BERNICE SANDLER,  
Chairman, Action Committee for Federal Contract Compliance, WEAL.

#### RICHARD CHAPUT—A REMARKABLE MAN

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, on April 14, a remarkable constituent of mine, Richard R. Chaput, will observe his 34th birthday. It is my hope that I will be able to pay my personal respects to Dick on that date. At this time, I wish to share with my colleagues some of the reasons why I consider him a truly remarkable young man.

For almost 25 years, Dick Chaput's body has been confined by the paralysis of poliomyelitis. He has no power to move, yet he has moved men.

Although he spends most of his time in a small room in a nursing home, he has reached out with his love to men, women, and children who were in despair and distress. He has brought them love and hope.

After years of struggle and doubt, he refused to accept the conclusion that because he was paralyzed, life had completely passed him by.

#### AN IRON LUNG HAS NOT CONTAINED HIM

He has refused to close himself in. An iron lung cannot contain or inhibit his quick mind, his desire to help others, his desire to show the love he found in his religion for his fellow man.

None of this has come easy for Dick. For several years, following the attack of infantile paralysis in the fall of 1946, when Dick was 9 years old, he hoped for recovery and a near normal life. When he was faced with the fact that he would be confined, it is reported that he lived with despair, anger, and self-pity for many months.

His strong religious faith and the ever-present support of his parents, his family, and his friends turned his thoughts around from the depression of his physical inadequacies to the possibility of using his mind and his all encompassing love for others.

During a 12-year period he received the equivalency of a high school and college education. Several students with various majors of study in nearby Rivier College would bring their notes to Dick in the nursing home and go over the lecture with him. Special blackboards, reading boards and recordings were also put to use. Even lab experiments were performed in Dick's room.

He received the love, support, and help that he was later to return to others a thousandfold.

In recent years, Dick has counseled people—young and old—from his flat stretcher bed. Priests and ministers have referred people to him. He is a volunteer for the FISH organization.

#### ACTIVE IN COMMUNITY AFFAIRS

Dick has been an active leader in the Friendship Club, an organization of handicapped people. He has worked with the National Association for Physically Handicapped, the New Hampshire Easter Seals Society. Dick serves as a volunteer to the New Hampshire State Library as an adviser on the needs for the physically handicapped. He has raised money for children in an orphanage in Danang, Vietnam.

When Dick was asked to become a member of the Nashua Jaycees, he said:

I'd be happy to join as long as I can be active and contribute something.

And he has contributed in both the local and State organizations. In 1966, Dick was selected by the National Jaycees as one of America's 10 Outstanding Young Men.

Although he has great difficulty breathing, he seldom refuses a request to speak to college, church, civic, and health organizations. Dick, handicapped though he is, often sings before groups, and is a frequent guest star on a weekly radio program.

Dick Chaput also keeps busy writing. He has written many articles for national publications and a weekly newspaper. In 1964, he published his autobiography "Not to Doubt," and has his second book in manuscript. This is a busy man.

He has looked deeply into his life and

the lives of others. He found, during those dark and depressing days, a sense of purpose to his life. He knows that there is purpose for the lives of others and shares his strength and knowledge with all who come in contact with him.

#### DICK CHAPUT—INSPIRATION FOR THE TROUBLED

Mr. Speaker, much of the time of Members of Congress is taken up with efforts to help people who have brought their problems and troubles to us. We do this most willingly, because these difficulties are usually quite genuine and serious.

True as this is, it is equally true that problems and troubles are relative matters. I sometimes wish that people who feel that their problems and troubles are overwhelming could spend a few minutes with Dick, as I have done from time to time over the years. I feel confident that if they would, the perspective they would gain would give them a new strength, courage and inspiration to face and overcome their difficulties. For Dick Chaput has demonstrated that massive difficulties and handicaps can be overcome, given determination, courage, and faith.

#### BILL TO REGULATE COMMERCIAL TAX SERVICES

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, by April 15 of this year approximately 75 million Americans will have filed Federal income tax returns with the Internal Revenue Service. Our system of tax administration, probably the most efficient of any free country in the world, is as retiring IRS Commissioner Randolph Thresher states:

Founded on the bedrock of confidence we term voluntary compliance, where each taxpayer assumes the responsibility of making his own assessment, in compliance with the tax laws.

During the past 5 years it has become evident that a large number of American taxpayers, most of them in the middle and lower income brackets, are disinclined to prepare their own Federal tax forms and are turning in growing numbers to nonprofessional commercial tax services for assistance at a fee.

Approximately a year and a half ago Congress enacted a comprehensive Tax Reform Act which provided tax relief to a significant number of taxpayers in the middle and lower income brackets. While the act achieved many overdue reforms, it is evident that it did not serve well the cause of simplicity. The ironic consequence of continued complexity in our tax laws and procedures is that a portion of the tax savings that the law provides for the low- and middle-income taxpayer is expended by those taxpayers as fees to commercial tax services. Substantive tax reforms are thus negated by procedural complexity. This is not to say that the income tax forms for 1970 are any more complicated than those of previous years, or that the 1969 Tax Reform Act is the cause of a great upsurge in the volume of business of commercial tax services. In fact the cumulative data on the reporting characteristics of tax-

payers for 1970 are not yet collected. However, there is every indication that the percentage of taxpayers who seek and pay for assistance in the preparation of their 1970 Federal tax forms will not decrease.

The following tables prepared by the Congressional Research Service for the use of the House Government Operations Subcommittee on Legal and Monetary Affairs, which I chair, compare the number and percentage of taxpayers who filed Federal tax returns which contained signatures other than those of the taxpayer for the years 1966 and 1969:

RETURNS PREPARED BY OTHER THAN TAXPAYER, BY ADJUSTED GROSS INCOME

| Adjusted gross income         | Returns with signature of preparer other than taxpayer |         |
|-------------------------------|--|---------|
|                               | Number (in thousands)                                  | Percent |
| <b>For the tax year 1966:</b> |  |         |
| Total.....                    | 28,512   | 40.7    |
| Under \$5,000.....            | 10,381   | 31.5    |
| \$5,000 to \$10,000.....      | 11,542   | 48.5    |
| \$10,000 to \$25,000.....     | 5,787  | 47.0    |
| Over \$25,000.....            | 802  | 73.3    |
| <b>For the tax year 1969:</b> |  |         |
| Total.....                    | 38,914   | 51.5    |
| Under \$5,000.....            | 14,612   | 46.5    |
| \$5,000 to \$10,000.....      | 12,619   | 55.7    |
| \$10,000 to \$25,000.....     | 10,453   | 52.5    |
| Over \$25,000.....            | 1,230  | 65.9    |

Among the estimated 200,000 persons and firms in the United States who, for a fee, provide tax form preparation and counseling services to taxpayers, the largest is the firm of H. & R. Block, Inc. A review of the growth rate of that company provides insight into the growth rate of the commercial tax service industry. In 1966 it prepared more than 1.7 million Federal income tax returns; in 1969 it prepared 5.3 million. Currently it is estimated that the firm prepares almost 10 percent of the more than 75 million income tax returns filed with the Internal Revenue Service. An additional 50 percent of the total number of filed returns are prepared by large and diverse groups of nonprofessional persons and firms whose qualifications, fees, and competence are subject to no uniform standards.

This large multimillion-dollar industry, which undertakes to provide services in one of the most sensitive areas of a citizen's affairs with his Government, is basically unregulated. The Internal Revenue Service states that it is "without authority" to regulate the activities of commercial tax services "absent a clearly fraudulent act such as inducing a taxpayer to file a false return or document." The Congress has never taken final action to authorize regulation of this area. Nor have any of the States taken action to set minimum standards for persons offering taxpayer assistance for a fee.

And, so, in the face of official silence in the field, because of the potential for taxpayer abuse which exists in this area, because of the highly sensitive nature of information to which commercial tax preparers are privy in the course of their work, because I believe that taxpayers are entitled to assurance that in return

for fees paid they will receive competent and honest treatment of their Federal tax matters, because the Federal Government has a rightful concern over the adequacy of and charges for services regarding compliance with the tax laws, and because of the large economic and revenue impact which this large and growing industry has on our Nation's finances, I am introducing a bill to authorize the Secretary of the Treasury to regulate commercial tax preparers. As an addition to an existing provision of the law, my bill expands existing authority of the Secretary to govern persons representing claimants before his Department with regard to tax matters. I feel that legislative action is needed to provide taxpayers with a modicum of assurance that the weighty responsibilities of fiduciary duties which they place in commercial tax services will be carried out with honesty, integrity and competence.

**JOBLESS COVERAGE FOR FARM WORKERS**

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, I have introduced today legislation to extend unemployment compensation to farmworkers by eliminating the exemption of agricultural laborers in the present law. This matter has been debated for many years and, I think the time has come for us to dispense with the rhetoric and act.

In my State the tragic effect of our failure to act is obvious. Recently a severe freeze hit the southern part of the State, destroying crops. Because the farmworker—unlike the industrial worker—has no unemployment compensation, the resulting loss of work is causing a great deal of misery and unnecessary poverty. If a General Motors plant burns down, the workers do not starve while a new plant is being rebuilt. They get unemployment compensation checks each week in place of pay checks. But, farmworkers are second-class citizens. When the crops fail, they have nothing but empty pockets until the next crop comes along. It is time that farmworkers stopped being second-class citizens and begin to be treated like other working people.

Objections have been raised to covering farmworkers because of the seasonal nature of some farmwork, but seasonal work in shoe factories is covered. Others have objected to covering migrant farmworkers, but circus employees are covered.

There was a time when people said that you could not provide social security to farmworkers for the same reasons, but farmworkers have been covered under social security since 1950. In fact, there was a time when some people said that social security and unemployment compensation were impossible in concept, but both programs were provided by the Social Security Act of 1935.

Mr. Speaker, I would remind the House that in the best of times the lot of the farmworker is not easy and that in bad

times their lot is nearly impossible. I urge this body to act quickly to do something to improve the situation of thousands of unemployed farmworkers by providing them with the same unemployment insurance that we have provided to industrial workers for a third of a century.

**A NATIONAL NUTRITION PROGRAM FOR THE ELDERLY**

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, a few weeks ago I introduced H.R. 5017 in behalf of 118 Members of the House to provide a national nutrition program for the elderly which would make nutritionally sound meals available in strategically located centers in a community. The program directs itself to the promotion of both the physical and mental health of the elderly through provisions for balanced meals, education in nutrition, and opportunity for social contact to end the isolation of old age through the encouragement of greater physical and mental activities.

Similar legislation has been proposed in the other body by Senator KENNEDY and 17 colleagues.

After introducing the bill, I sent copies of the legislation together with my remarks to key people in each of the several States who will make recommendations in the field of nutrition and health care to the White House Conference on Aging which will meet in Washington, D.C., this November.

Encouraging responses have begun to reach my office already, which I am inserting in the RECORD today. Other letters will be included for the information of the House as they reach my office.

The responses follow:

COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF PUBLIC WELFARE,  
Harrisburg, Pa., April 5, 1971.

HON. CLAUDE PEPPER,  
House of Representatives,  
Washington, D.C.

DEAR SIR: Your letter of March 22, 1971, addressed to Mr. Stanley Miller, has been referred to me for reply.

As State Coordinator of the White House Conference proceedings, I heartily endorse H.R. 5017.

I shall present this for consideration at the Governor's White House Conference. Thank you for your consideration of the elderly of this nation. Your service in their behalf has been greatly appreciated by the elderly in Pennsylvania.

Sincerely yours,  
HERMAN M. MELITZER,  
Director, Bureau of Community Consultation—Aging.

GOVERNMENT OF THE DISTRICT OF COLUMBIA, DEPARTMENT OF HUMAN RESOURCES,  
Washington, D.C., March 31, 1971.

HON. CLAUDE PEPPER,  
House of Representatives,  
Washington, D.C.

DEAR CONGRESSMAN PEPPER: You may be sure that the nutritional needs of the elderly are of paramount concern to me and others in the District of Columbia who have experience with needs, and findings of demonstration programs now underway.

The District of Columbia report to the

White House Conference on Nutrition and Human Needs gave bountiful support for the legislation introduced by you and Senator Kennedy and the co-sponsors in both Houses of the Congress.

You may be sure that the District of Columbia White House Conference on Aging will give ample attention to this issue and I anticipate that additional support will be evident in our report to be completed subsequent to the May 26, 1971 Conference we are now planning.

Thank you for calling this matter to my attention.

Respectfully yours,  
(Miss) WINIFRED G. THOMPSON,  
Director.

STATE OF ILLINOIS,  
DEPARTMENT OF PUBLIC AID,  
Springfield, Ill., April 1, 1971.

HON. CLAUDE PEPPER,  
House of Representatives,  
Washington, D.C.

DEAR CONGRESSMAN PEPPER: The Section on Aging of the Department of Public Aid has been requested by Director Swank to acknowledge and thank you for your letter of March 22, 1971, regarding H.R. 5017.

In only a few instances, covering a relatively small number of elderly persons who need "meals on wheels" or other arrangements for providing good nutrition has it been possible to provide this service in Illinois. In some few cases this has been done with the help of Title III or Title IV funds (Older Americans Act) and in fewer cases by action of purely local groups.

We agree that in the absence of a strong Federal program and ample Federal funds to provide this service, it will be a long time, if ever, before the nutritional needs of senior citizens can be met.

This is a matter which has concerned our planners for the White House Conference in November.

We will certainly see to it that all concerned shall be informed of the intent and content of H.R. 5017. We hope the question it raises may be included in the program of the White House Conference.

Thank you for your continuing concern for the welfare of older people.

Sincerely,  
HENRY L. MCCARTHY,  
Special Assistant, Office of the Director.

STATE OF NEBRASKA,  
ADVISORY COMMITTEE ON AGING,  
Lincoln, Nebr., March 30, 1971.

HON. CLAUDE PEPPER,  
Cannon House Office Building,  
Washington, D.C.

DEAR CONGRESSMAN PEPPER: This will acknowledge your letter of March 22, 1971, and the attached materials regarding your proposal for a Nutrition Program for the Elderly.

As per your suggestion, we are passing these materials along to the Nutrition Task Force appointed for the Nebraska Governor's Conference on Aging. I am sure that the Task Force will find the materials useful, and I hope that their evaluation and recommendations will be helpful in securing Congressional approval. We will, as per your request, inform you of the results of their deliberations.

Thank you for your letter and for your interest in the Nebraska Commission on Aging.

Sincerely,  
RONALD L. JENSEN,  
Executive Director.

STATE OF NEW YORK,  
OFFICE FOR THE AGING,  
Albany, N.Y., March 29, 1971.

HON. CLAUDE PEPPER,  
House of Representatives,  
Washington, D.C.

DEAR CONGRESSMAN PEPPER: Thank you for your letter of March 22, in which you en-

closed a nutrition program for the elderly, H.R. 5017, which you have reintroduced in the 92nd session of the Congress.

I am pleased to learn that 117 of your colleagues in the House of Representatives have joined in the sponsorship of the above legislation and that Senator Edward M. Kennedy has introduced a companion bill in the Senate, S. 1163, with 18 cosponsors.

May I assure you that I will do everything possible to include discussions on nutrition in the task forces which are meeting in New York State prior to the 1971 White House Conference on Aging, and I will be happy to inform you of any policies or recommendations that are developed in the ten regional meetings which are projected pertaining to nutrition.

Thanking you for your interest and with kind greetings, I remain,

Sincerely,  
MARCELLE G. LEVY,  
Director.

MISSISSIPPI COUNCIL ON AGING,  
Jackson, Miss., April 1, 1971.

CONGRESSMAN CLAUDE PEPPER,  
Cannon House Office Building,  
Washington, D.C.

DEAR CONGRESSMAN: Thank you very much for your letter of March 22 enclosing a speech made by you on the subject, "Nutrition Program for the Elderly". This speech is certainly timely and I hope will be very effective in bringing about a recognition on the part of Congress to the desperate needs of many senior citizens in this country. In my opinion, this is vital legislation.

The Mississippi Council on Aging has been in recent weeks engaged in conducting community conferences over the State of Mississippi. In these conferences there has been discussions on nine needs areas and nutrition is one of the vital subjects under discussion.

We very greatly appreciate your dedication to this all-important matter.

Sincerely yours,  
E. D. KENNA,  
Executive Director.

STATE OF CONNECTICUT,  
DEPARTMENT ON AGING,  
Hartford, Conn., March 30, 1971.

CONGRESSMAN CLAUDE PEPPER,  
House of Representatives,  
Washington, D.C.

DEAR CONGRESSMAN PEPPER: I was delighted to receive your letter of March 22, with enclosure of H.R. 5017 "A Nutrition Program for the Elderly". I know of your interest in the provision of food for our elderly. It is a tremendously important program and I recollect your previous letter to me dated July 30, 1970, regarding H.R. 17763, to establish a new Title VII under the Older Americans Act.

I will refer your letter and enclosure to our Technical Committee on Nutrition for the White House Conference on Aging. Thank you so much for thinking of us.

Sincerely yours,  
SHOLOM BLOOM.

INTERNATIONAL BROTHERHOOD OF  
PAINTERS AND ALLIED TRADES,  
Washington, D.C., March 26, 1971.

HON. CLAUDE PEPPER,  
Cannon Office Building,  
Washington, D.C.

DEAR CONGRESSMAN PEPPER: Thank you for sending a copy of H.R. 5017 which you recently re-introduced in the 92nd Congress.

I have given this material to our Director of Legislation, John J. Pecoraro, who is a member of the Task Force and, incidentally, is assigned to the Committee on Nutrition.

You may be certain that he will do all that he can to assure favorable consideration of this legislation in his task force discussions and will keep you informed as to progress.

With our sincere wish for early enactment of this most worthy legislation.

Sincerely,  
S. FRANK RAFFERTY,  
General President.

THE AMERICAN DIETETIC ASSOCIATION,  
Chicago, Ill., March 31, 1971.

HON. CLAUDE PEPPER,  
House of Representatives,  
Washington, D.C.

DEAR MR. PEPPER: Thank you for your recent letter and for the enclosure of the bill concerning the nutrition program for the elderly. I have reviewed it with interest.

The task force which I will work on does not meet until May. I will be glad to let you know the reactions of the task force at that time.

As an individual, I can assure you that I am very much interested in nutrition programs for the elderly, and so I appreciate your concern.

Sincerely,  
MARJORIE M. DONNELLY, R.D.,  
President.

AMERICAN DENTAL ASSOCIATION,  
Chicago, Ill., March 31, 1971.

HON. CLAUDE PEPPER,  
House of Representatives,  
Washington, D.C.

DEAR REPRESENTATIVE PEPPER: Dr. C. Gordon Watson, executive director, has asked me to respond to your March 22 letter calling our attention to your proposal, H.R. 5017, "A Nutrition Program for the Elderly". Adequate nutrition for the elderly is a subject closely related to their dental health, so please be assured that your bill will be kept in mind by the two American Dental Association representatives to the task force on the White House Conference on Aging.

Thank you for your letter.  
Sincerely,  
VIRON DIEFENBACH, D.D.S.,  
Assistant Executive Director, Dental Health.

#### EQUAL JUSTICE UNDER LAW

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, Capt. Aubrey M. Daniel III, the brilliant young Army prosecutor in the court-martial trial of 1st Lt. William L. Calley, Jr., has protested President Nixon's action in the case.

In a letter to the President made public today by the New York Times, Captain Daniel has raised the very serious question whether the ultimate victim in this tragic case will be respect for the legal process. By his action in the case Captain Daniel said to the President:

You have subjected a judicial system of this country to the criticism that it is subject to political influence when it is a fundamental precept of our judicial system that the legal processes of this country must be kept free from any outside influences.

Implicit in Captain Daniel's argument is the fact that there are 82 members of the Armed Forces confined today in prisons for crimes committed against Vietnamese civilians. No special quarter, no Presidential intervention was afforded these men.

It has been my sorrowful experience to follow this case, Mr. Speaker, made more so because this young officer, Lieutenant Calley, has a family in my district who have shared the agony of this trial and its verdict.

In fact, Lieutenant Calley is as much a victim of this tragic and disastrous war as are those old men, women, and children a jury of combat soldiers said died by his hand.

Mr. Speaker, Captain Daniel said in his letter to the President that:

For this nation to condone the wanton killing of unarmed and unresisting civilians is to make us no better than our enemies and make any pleas by this nation for the humane treatment of our own prisoners meaningless.

These are brave words, Mr. Speaker, and they are entitled to be heard. We cannot before the world and in our own consciences condone or approve such conduct.

Mr. Speaker, this whole tragic episode involving Lieutenant Calley emphasizes the necessity of our getting out of this Southeast Asia war and getting out in the very near future.

Mr. Speaker, I include Captain Daniel's letter which appeared in the New York Times of April 7, 1971, as a part of my remarks:

**TEXT OF CALLEY PROSECUTOR'S LETTER TO THE PRESIDENT**

WASHINGTON.—Following is the text of the letter sent to the President by Capt. Aubrey M. Daniels 3d, the prosecutor in the Calley case:

Sir:

It is very difficult for me to know where to begin this letter as I am not accustomed to writing letters of protest. My only hope is that I can find the words to convey to you my feelings as a United States citizen, and as an attorney, who believes that respect for law is one of the fundamental bases upon which this nation is founded.

On Nov. 26, 1969, you issued the following statement through your press secretary, Mr. Ronald Ziegler, in referring to the My Lai incident:

"An incident such as that alleged in this case is in direct violation not only of United States military policy, but is also abhorrent to the conscience of all the American people.

"The Secretary of the Army is continuing his investigation. Appropriate action is and will be taken to assure that illegal and immoral conduct as alleged be dealt with in accordance with the strict rules of military justice.

"This incident should not be allowed to reflect on the some million and a quarter young Americans who have now returned to the United States after having served in Vietnam with great courage and distinction."

At the time you issued this statement, a general courtmartial had been directed for a resolution of the charges which have been brought against Lieut. (written) William L. Calley Jr. for his involvement at My Lai.

**MY OWN BELIEF**

On Dec. 8, 1970, you were personally asked to comment on the My Lai incident at a press conference. At that time you made the following statement:

"What appears was certainly a massacre, and under no circumstances was it justified.

"One of the goals we are fighting for in Vietnam is to keep the people from South Vietnam from having imposed upon them a government which has atrocity against civilians as one of its policies.

"We cannot ever condone or use atrocities against civilians in order to accomplish that goal."

These expressions of what I believed to be your sentiment were truly reflective of my own feelings when I was given the assignment of prosecuting the charges which had been preferred against Lieutenant Calley. My

feelings were generated not by emotionalism or self-indignation but by my knowledge of the evidence in the case, the laws of this nation in which I strongly believe, and my own conscience. I knew that I had been given a great responsibility and I only hoped that I would be able to discharge my duties and represent the United States in a manner which would be a credit to the legal profession and our system of justice.

**IN THE FINEST TRADITION**

I undertook the prosecution of the case without any ulterior motives for personal gain, either financial or political. My only desire was to fulfill my duty as a prosecutor and see that justice was done in accordance with the laws of this nation. I dedicated myself totally to this end from November of 1969 until the trial was concluded. Throughout the proceedings there was criticism of the prosecution but I lived with the abiding conviction that once the facts and the law had been presented there would be no doubt in the mind of any reasonable person about the necessity for the prosecution of this case and the ultimate verdict. I was mistaken.

The trial of Lieutenant Calley was conducted in the finest tradition of our legal system. It was in every respect a fair trial in which every legal right of Lieutenant Calley was fully protected. It clearly demonstrated that the military justice system which has previously been the subject of much criticism was a fair system. Throughout the trial, the entire system was under the constant scrutiny of the mass media and the public, and the trial of Lieutenant Calley was also in a very real sense the trial of the military judicial system. However there was never an attack lodged by any member of the media concerning the fairness of the trial. There could be no such allegation justifiably made.

I do not believe that there has ever been a trial in which the accused's rights were more fully protected, the conduct of the defense given greater latitude, and the prosecution held to stricter standards. The burden of proof which the Government had to meet in this case was not beyond a reasonable doubt, but beyond possibility. The very fact that Lieutenant Calley was an American officer being tried for the deaths of Vietnamese during a combat operation by fellow officers compels this conclusion.

**JURY CAREFULLY CHOSEN**

The jury selection, in which customary procedure was altered by providing both the defense and the prosecution with three peremptory challenges instead of the usual one, was carefully conducted to insure the impartiality of those men who were selected. Six officers, all combat veterans, five having served in Vietnam, were selected. These six men who had served their country well, were called upon again to serve their nation as jurors and to sit in judgment of Lieutenant Calley as prescribed by law.

From the time they took their oaths until they rendered their decision, they performed their duties in the very finest tradition of the American legal system. If ever a jury followed the letter of the law in applying it to the evidence presented, they did. They are indeed a credit to our system of justice and to the officer corps of the United States Army.

**SHOCKED AND DISMAYED**

When the verdict was rendered, I was totally shocked and dismayed at the reaction of many people across the nation. Much of the adverse public reaction I can attribute to people who have acted emotionally and without being aware of the evidence that was presented and perhaps even the laws of this nation regulating the conduct of war.

These people have undoubtedly viewed Lieutenant Calley's conviction of an American officer for killing the enemy. Others, no doubt out of a sense of frustration, have

seized upon the conviction as a means of protesting the war in Vietnam.

I would prefer to believe that most of the public criticism has come from people who are not aware of the evidence, either because they have not followed the evidence as it was presented, or having followed it they have chosen not to believe it.

Certainly, no one wanted to believe what occurred at My Lai, including the officers who sat in judgment of Lieutenant Calley. To believe, however, that any large percentage of the population could believe the evidence which was presented and approve of the conduct of Lieutenant Calley would be as shocking to my conscience as the conduct itself, since I believe that we are still a civilized nation.

If such be the case, then the war in Vietnam has brutalized us more than I care to believe, and it must cease. How shocking it is if so many people across this nation have failed to see the moral issue which was involved in the trial of Lieutenant Calley—that it is unlawful for an American soldier to summarily execute unarmed and unresisting men, women, children and babies.

**APPALLED BY LEADERS**

But how much more appalling it is to see so many of the political leaders of the nation who have failed to see the moral issue or, having seen it, to compromise it for political motive in the face of apparent public displeasure with the verdict.

I would have hoped that all leaders of this nation, which is supposed to be the leader within the international community for the protection of the weak and the oppressed regardless of nationality, would have either accepted and supported the enforcement of the laws of this country as reflected by the verdict of the court or not make any statement concerning the verdict until they had had the same opportunity to evaluate the evidence that the members of the jury had.

In view of your previous statements concerning this matter, I have been particularly shocked and dismayed at your decision to intervene in these proceedings in the midst of the public clamor. Your decision can only have been prompted by the response of a vocal segment of our population, who while no doubt acting in good faith, cannot be aware of the evidence which resulted in Lieutenant Calley's conviction.

Your intervention has, in my opinion, damaged the military judicial system and lessened any respect it may have gained as a result of the proceedings.

You have subjected a judicial system of this country to the criticism that it is subject to political influence, when it is a fundamental precept of our judicial system that the legal processes of this country must be kept free from any outside influences. What will be the impact of your decision upon the future trials, particularly those within the military?

**RESPECT WEAKENED**

Not only has respect for the legal process been weakened and the critics of the military judicial system been given support for their claims of command influence, the image of Lieutenant Calley, a man convicted of the premeditated murder of at least 21 unarmed and unresisting people, as a national hero has been enhanced, while at the same time support has been given to those persons who have so unjustly criticized the six loyal and honorable officers who have done this country a great service by fulfilling their duties as jurors so admirably.

Have you considered those men in making your decisions? The men who since rendering their verdict have found themselves and their families the subject of vicious attacks upon their honor, integrity and loyalty to this nation.

It would seem to me to be more appropriate for you as the President to have said some-

thing in their behalf and to remind the nation of the purpose of our legal system and the respect it should command.

I would expect that the President of the United States, a man whom I believed should and would provide the moral leadership for this nation, would stand fully behind the law of this land on a moral issue which is so clear and about which there can be no compromise.

#### ABHORRENT TO CONSCIENCE

For this nation to condone the acts of Lieutenant Calley is to make us no better than our enemies and make any pleas by this nation for the humane treatment of our own prisoners meaningless.

I truly regret having to have written this letter and wish that no innocent person had died at My Lai on March 16, 1968. But innocent people were killed under circumstances that will always remain abhorrent to my conscience.

While in some respects what took place at My Lai has to be considered to be a tragic day in the history of our nation, how much more tragic would it have been for this country to have taken no action against those who were responsible.

That action was taken, but the greatest tragedy of all will be if political expediency dictates the compromise of such a fundamental moral principle as the inherent unlawfulness of the murder of innocent persons, making the action and the courage of six honorable men who served their country so well meaningless.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. MILLS, for today, 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, as granted to:

Mr. OBEY, for 1 hour, on April 27, and to revise and extend his remarks and include extraneous matter.

Mr. MINSHALL, for 30 minutes, on April 28, and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. McCOLLISTER), to revise and extend their remarks and to include extraneous matter to:)

Mr. STEIGER of Wisconsin, today, for 10 minutes.

Mr. HALPERN, today, for 5 minutes.

Mr. HOGAN, today, for 5 minutes.

Mr. BLACKBURN, today, for 5 minutes.

Mr. QUIE, today, for 20 minutes.

Mr. DEVINE, today, for 15 minutes.

Mr. MIZELL, today, for 5 minutes.

(The following Members (at the request of Mr. McCORMACK) and to revise and extend their remarks and include extraneous matter:)

Mr. CORMAN, for 10 minutes, today.

Mr. FLOOD, for 10 minutes, today.

Mr. RODINO, for 10 minutes, today.

Mr. CHARLES H. WILSON, for 15 minutes, today.

Mr. RARICK, for 15 minutes, today.

Mr. ROONEY of Pennsylvania, for 10 minutes, today.

Mr. PATMAN, for 10 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. RYAN, immediately following the remarks of Mr. STOKES in the Committee of the Whole today.

Mr. RANDALL in two instances.

Mr. GROSS, immediately prior to the passage of H.R. 7016 today.

(The following Members (at the request of Mr. McCOLLISTER) and to include extraneous matter:)

Mr. SCHMITZ in three instances.

Mr. MYERS in two instances.

Mr. FREY.

Mr. SCHERLE.

Mrs. HECKLER of Massachusetts in four instances.

Mr. SPENCE.

Mr. DUNCAN in two instances.

Mr. HOSMER in six instances.

Mr. HALPERN.

Mr. PETTIS.

Mr. McCLORY.

Mr. WYMAN in two instances.

Mr. SCHWENGLER.

Mr. MORSE.

Mr. FORSYTHE.

Mr. HUNT in two instances.

Mr. COUGHLIN.

Mr. JOHNSON of Pennsylvania in two instances.

Mr. PELLY in two instances.

Mr. CONTE.

Mr. BAKER in two instances.

Mr. NELSEN.

Mr. BOB WILSON.

Mr. BROOMFIELD in three instances.

Mr. HASTINGS.

Mr. FINDLEY.

Mr. DERWINSKI in two instances.

Mr. BOW.

Mr. SPRINGER in two instances.

Mr. J. WILLIAM STANTON.

Mr. TALCOTT.

Mr. McDADE.

Mr. CARTER.

Mr. MIZELL.

Mr. DELLENBACK.

Mr. CHAMBERLAIN.

Mr. SAYLOR.

Mr. McKEVITT.

Mr. DUPONT.

Mr. DICKINSON.

Mr. REID of New York.

Mr. THOMPSON of Georgia.

Mr. WYLIE in two instances.

Mr. SCOTT.

Mr. GUDE in two instances.

(The following Members (at the request of Mr. McCORMACK) and to include extraneous matter:)

Mr. DRINAN in two instances.

Mr. MURPHY of New York.

Mr. BEGICH in eight instances.

Mr. DINGELL.

Mr. BOLLING in three instances.

Mr. CARNEY.

Mr. ABOUREZK in three instances.

Mr. BADILLO in five instances.

Mr. FLOOD in two instances.

Mr. MOORHEAD in two instances.

Mr. JACOBS.

Mr. BINGHAM in two instances.

Mr. PRYOR of Arkansas.

Mr. BROOKS in two instances.

Mr. KEE.

Mr. EDWARDS of California in two instances.

Mr. BURLISON of Missouri.

Mr. LEGGETT.

Mr. RYAN in three instances.

Mr. RONCALIO in six instances.

Mr. HUNGATE in 10 instances.

Mr. HEBERT in three instances.

Mr. PATTEN.

Mr. NIX.

Mr. FUQUA.

Mr. MONAGAN.

Mr. DENT.

Mr. BRASCO.

Mr. GRIFFIN in two instances.

Mr. PICKLE in three instances.

Mr. DORN in two instances.

Mr. ROSTENKOWSKI.

Mr. NEDZI in two instances.

Mr. KYROS in two instances.

Mr. WILLIAM D. FORD in two instances.

Mr. CONYERS in two instances.

Mr. HAWKINS in two instances.

Mr. GIAIMO in 10 instances.

Mr. TIERNAN in three instances.

Mrs. SULLIVAN in three instances.

Mr. DE LA GARZA in three instances.

Mr. MOSS in five instances.

Mr. HAGAN in two instances.

Mr. DANIELS of New Jersey in four instances.

Mr. BENNETT in two instances.

Mr. SMITH of Iowa in five instances.

Mr. SYMINGTON.

Mr. GONZALEZ in two instances.

#### ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER. In accordance with House Concurrent Resolution 257 92d Congress, the Chair declares the House adjourned until 12 o'clock noon on Monday, April 19, 1971.

Thereupon (at 6 o'clock and 39 minutes p.m.), pursuant to House Concurrent Resolution 257, the House adjourned until Monday, April 19, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

548. A letter from the Assistant Administrator for Program and Policy, Agency for International Development, Department of State, transmitting copies of Presidential Determination 71-10; to the Committee on Foreign Affairs.

549. A letter from the Commissioner of the District of Columbia transmitting a draft of proposed legislation relating to education in the District of Columbia; to the Committee on the District of Columbia.

550. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised in behalf of certain aliens, together with a list of the persons involved, pursuant to section 212(d)(6) of the act; to the Committee on the Judiciary.

551. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to provide a new and improved system of Federal financial assistance to State and local governments for solving the transportation problems of the State and local governments and for improving the Na-

tion's capacity to meet the demands of interstate commerce, and for other purposes; to the Committee on Ways and Means.

RECEIVED FROM THE COMPTROLLER GENERAL

552. A letter from the Comptroller General of the United States, transmitting a report on the need in New Jersey for improved administration of the Federal program of aid to educationally deprived children, Office of Education, Department of Health, Education, and Welfare; to the Committee on Government Operations.

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. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 155. A bill to facilitate the transportation of cargo by barges specifically designed for carriage aboard a vessel; with amendments (Rept. No. 92-119). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 5674. A bill to amend the Comprehensive Drug Abuse Prevention and Control Act of 1970 to provide an increase in the appropriations authorization for the Commission on Marijuana and Drug Abuse (Rept. No. 92-121). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 2166. A bill to amend the Federal, Food, Drug, and Cosmetic Act, and for other purposes (Rept. No. 92-122). Referred to the House Calendar.

Mr. HAYS: Committee on Foreign Affairs. S. 531. An act to authorize the U.S. Postal Service to receive the fee of \$2 for execution of an application for a passport (Rept. No. 92-123). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE 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. MANN: Committee on the Judiciary. H.R. 4667. A bill for the relief of Roger Stanley, and the successor partnership, Roger Stanley and Hal Irwin, doing business as the Roger Stanley Orchestra; with amendments (Rept. No. 92-120). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:  
H.R. 7328. A bill to authorize the appropriation of additional funds for cooperative forest management; to the Committee on Agriculture.

H.R. 7329. A bill to authorize the Secretary of Agriculture to cooperate with and furnish financial and other assistance to States and other public bodies and organizations in providing an urban environmental forestry program, and for other purposes; to the Committee on Agriculture.

H.R. 7330. A bill to authorize the appropriation of additional funds for cooperative forest fire protection; to the Committee on Agriculture.

H.R. 7331. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program

of supplementary medical insurance for the aged; to the Committee on Ways and Means.

By Mr. BIAGGI (for himself, Mr. PATMAN, Mr. GARMATZ, Mr. HALPERN, Mr. PEPPER, Mr. FLYNT, Mr. DUNCAN, Mr. KARTH, Mr. DERWINSKI, Mr. YATRON, Mr. LENT, Mr. ROE, Mr. BUCHANAN, Mr. MONTGOMERY, Mr. BROYHILL of Virginia, Mr. ST GERMAIN, Mr. RONCALIO, Mr. HECHLER of West Virginia, Mr. TEAGUE of California, Mr. THONE, Mr. ZABLOCKI, Mr. DEVINE, Mr. MAYNE, Mr. McCORMACK, and Mr. STRATTON):

H.R. 7332. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide a system for the redress of law enforcement officers' grievances and to establish a law enforcement officers' bill of rights in each of the several States, and for other purposes; to the Committee on the Judiciary.

By Mr. BRADEMAS (for himself, Mr. THONE, Mr. KOCH, Mr. MORSE, Mr. NIX, Mr. FRELINGHUYSEN, Mr. EILBERG, Mr. SCHNEEBELI, Mr. CARNEY, and Mr. KEMP):

H.R. 7333. A bill to provide a comprehensive child development program in the Department of Health, Education, and Welfare; to the Committee on Education and Labor.

By Mr. BELL (for himself, Mr. PRICE of Illinois, Mr. BIAGGI, Mr. MITCHELL, Mr. KUYKENDALL, Mr. MAZZOLI, Mr. HAWKINS, and Mr. McCLORY):

H.R. 7334. A bill to provide a comprehensive child development program in the Department of Health, Education, and Welfare; to the Committee on Education and Labor.

By Mr. CLAY (for himself, Mr. BIESTER, Mr. LEGGETT, Mr. DENT, Mr. ANDERSON of Illinois, Mr. KASTENMEIER, Mr. COUGHLIN, Mr. CHARLES H. WILSON, and Mr. FORSYTHE):

H.R. 7335. A bill to provide a comprehensive child development program in the Department of Health, Education, and Welfare; to the Committee on Education and Labor.

By Mr. DELLENBACK (for himself, Mr. HELSTOSKI, Mr. SCHWENDEL, Mr. WILLIAM D. FORD, Mr. DELLUMS, Mr. ST GERMAIN, Mr. GIBBONS, Mr. PODELL, and Mr. STAFFORD):

H.R. 7336. A bill to provide a comprehensive child development program in the Department of Health, Education, and Welfare; to the Committee on Education and Labor.

By Mr. DOW:  
H.R. 7337. A bill to end combat in Vietnam; to the Committee on Foreign Affairs.

By Mr. ESHLEMAN:

H.R. 7338. A bill to amend the Packers and Stockyards Act, 1921, to provide that marketing agencies acting in good faith shall not be liable for selling livestock mortgaged under the Bankhead-Jones Farm Tenant Act until the Secretary has exhausted his civil remedies against the mortgagor; to the Committee on Agriculture.

By Mrs. GRIFFITHS (for herself, Mr. CORMAN, Mr. MOSHER, Mr. REID of New York, Mr. EILBERG, and Mr. SCHEUER):

H.R. 7339. A bill to create a national system of health security; to the Committee on Ways and Means.

By Mr. HANSEN of Idaho (for himself, Mr. RYAN, Mr. CONYERS, Mr. ROY, Mr. FOLEY, Mr. HORTON, Mr. HARRINGTON, Mr. ROE, and Mr. HOMER):

H.R. 7340. A bill to provide a comprehensive child development program in the Department of Health, Education, and Welfare; to the Committee on Education and Labor.

By Mr. HARSHA:  
H.R. 7341. A bill; the Mercury Pollution Control Act; to the Committee on Public Works.

By Mr. KOCH (for himself, Mr. BRADEMAS, Mr. FULTON of Pennsylvania, and Mr. KYROS):

H.R. 7342. A bill for the relief of Soviet Jews; to the Committee on the Judiciary.

By Mr. KYL:

H.R. 7343. A bill to amend the Communications Act of 1934 to provide that certain aliens admitted to the United States for permanent residence shall be eligible to operate amateur radio stations in the United States and to hold licenses for their stations; to the Committee on Interstate and Foreign Commerce.

By Mr. MEEDS (for himself, Mr. McCDADE, Mr. DANIELS of New Jersey, Mr. FRENZEL, Mr. ADDABO, Mr. STEIGER of Wisconsin, Mr. GONZALEZ, Mr. STEPHENS, Mr. ESCH, and Mr. HECHLER of West Virginia):

H.R. 7344. A bill to provide a comprehensive child development program in the Department of Health, Education, and Welfare; to the Committee on Education and Labor.

By Mr. MINK (for herself, Mr. KEITH, Mr. GREEN of Pennsylvania, Mr. FULTON of Pennsylvania, Mrs. CHISHOLM, Mr. VEYSEY, Mr. REES, Mr. HALPERN, Mrs. HICKS of Massachusetts, and Mr. WYDLER):

H.R. 7345. A bill to provide a comprehensive child development program in the Department of Health, Education, and Welfare; to the Committee on Education and Labor.

By Mr. MINSHALL (for himself, Mr. GUSBER, Mr. TEAGUE of California, Mr. VEYSEY, Mr. WAGGONER, Mr. WHITEHURST, and Mr. WILLIAMS):

H.R. 7346. A bill to amend the Communications Act of 1934 to provide for more responsible news and public affairs programming; to the Committee on Interstate and Foreign Commerce.

By Mr. NIX:

H.R. 7347. A bill to provide for the issuance of a special postage stamp in commemoration of the life and work of a man of peace, Martin Luther King; to the Committee on Post Office and Civil Service.

By Mr. PERKINS:

H.R. 7348. A bill to amend section 8(b) (4) of the National Labor Relations Act, as amended, with respect to strike at the sites of construction projects; to the Committee on Education and Labor.

By Mr. QUIE (for himself, Mr. STOKES, Mr. CORBETT, Mr. MATSUNAGA, Mr. PEPPER, Mr. MIKVA, Mr. ROSTENKOWSKI, Mrs. HANSEN of Washington, and Mr. GERALD R. FORD):

H.R. 7349. A bill to provide a comprehensive child development program in the Department of Health, Education, and Welfare; to the Committee on Education and Labor.

By Mr. QUILLEN:

H.R. 7350. A bill to further provide for the farmer-owned cooperative system for 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; to the Committee on Agriculture.

By Mr. RAILSBACK (for himself, Mr. MIKVA, Mr. BIESTER, Mr. ANDERSON of Illinois, Mr. ARCHER, Mr. BEGICH, Mr. BELL, Mr. BLACKBURN, Mr. BRASCO, Mr. BROWN of Michigan, Mr. CARNEY, Mr. COLLINS of Illinois, Mr. CORDOVA, Mr. COUGHLIN, Mr. DANIELSON, Mr. DICKINSON, Mr. DRINAN, Mrs. DWYER, Mr. FORSYTHE, Mr. FRASE, Mr. FRENZEL, Mr. GIBBONS, Mr. GUDE, Mr. HANLEY, and Mr. HANSEN of Idaho):

H.R. 7351. A bill to amend title 18 of the United States Code by adding a new chapter 404 to establish an Institute for Continuing Studies of Juvenile Justice; to the Committee on the Judiciary.

By Mr. RAILSBACK (for himself, Mr. MIKVA, Mr. BIESTER, Mrs. HICKS of

Massachusetts, Mr. HILLIS, Mr. MORSE, Mr. MOSHER, Mr. MURPHY of New York, Mr. O'NEILL, Mr. NIX, Mr. PREYER of North Carolina, Mr. RONCALIO, Mr. ROSENTHAL, Mr. ROSTENKOWSKI, Mr. RYAN, Mr. SARBANES, Mr. SCHWENDEL, Mr. SHOUP, and Mr. J. WILLIAM STANTON):

H.R. 7352. A bill to amend title 18 of the United States Code by adding a new chapter 404 to establish an Institute for Continuing Studies of Juvenile Justice; to the Committee on the Judiciary.

By Mr. REID of New York (for himself, Mr. ROYBAL, Mr. MOSS, Mrs. GRASSO, Mr. FISH, Mr. EDWARDS of California, Mr. WOLFF, Mr. DULSKI, Mr. BEGICH, and Mr. BURTON):

H.R. 7353. A bill to provide a comprehensive child development program in the Department of Health, Education, and Welfare; to the Committee on Education and Labor.

By Mr. ROYBAL:

H.R. 7354. A bill to provide for the establishment of a system of overtime pay for the U.S. Capitol Police; to the Committee on House Administration.

By Mr. SAYLOR:

H.R. 7355. A bill to amend section 503 of title 38, United States Code, to provide that payments to an individual under a public or private retirement, annuity, endowment, or similar plans or programs shall not be counted as income for pension until the amount of payments received equals the contributions thereto; to the Committee on Veterans' Affairs.

H.R. 7356. A bill to amend title 38 of the United States Code so as to provide that monthly social security benefit payments shall not be included as income for the purpose of determining eligibility for a pension under title 38; to the Committee on Veterans' Affairs.

By Mr. SCHERLE (for himself, Mr. DEVINE and Mr. CLANCY):

H.R. 7357. A bill limiting the use of publicly owned or controlled property in the District of Columbia, requiring the posting of a bond for the use of such property, and for other purposes; to the Committee on Public Works.

By Mr. SCHEUER (for himself, Mr. SHOUP, Mr. MELCHER, Mr. DRINAN, Mr. SARBANES, Mr. RODINO, Mr. BINGHAM, Mr. HATHAWAY, and Mr. WHITEHURST):

H.R. 7358. A bill to provide a comprehensive child development program in the Department of Health, Education, and Welfare; to the Committee on Education and Labor.

By Mr. JAMES V. STANTON (for himself, Mrs. ABZUG, and Mr. ROE):

H.R. 7359. A bill to provide maternity benefits for pregnant wives of certain former servicemen; to the Committee on Armed Services.

By Mr. STUBBLEFIELD:

H.R. 7360. A bill to extend to all unmarried individuals the full benefits of income splitting now enjoyed by married individuals filing joint returns; to the Committee on Ways and Means.

By Mr. WHALLEY:

H.R. 7361. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. ABOUREZK:

H.R. 7362. A bill to amend the Internal Revenue Code of 1954 to provide for the continuation of the investment tax credit for small businesses, and for other purposes; to the Committee on Ways and Means.

By Mr. ANNUNZIO:

H.R. 7363. A bill to amend the Bacon-Davis Act, as amended, and the Walsh-Healey Government Contracts Act, as amended, to prevent suspension of their provisions

by the President; to the Committee on Education and Labor.

H.R. 7364. A bill to amend the Fair Labor Standards Act of 1938 to increase the minimum wage under that act, to extend its coverage, to establish procedures to relieve domestic industries and workers injured by increased imports from low-wage areas, and for other purposes; to the Committee on Education and Labor.

H.R. 7365. A bill to terminate the airlines mutual aid agreement; to the Committee on Interstate and Foreign Commerce.

By Mr. ASPINALL (for himself, Mr. SAYLOR, Mr. JOHNSON of California, Mr. HOSMER, Mr. BURTON, Mr. DON H. CLAUSEN, Mr. MEEDS, Mr. KAZEN, Mr. CAMP, Mr. LLOYD, Mr. RONCALIO, Mr. BEGICH, Mr. ABOUREZK, and Mr. TERRY):

H.R. 7366. A bill to expand and extend the desalting program being conducted by the Secretary of the Interior, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BADILLO (for himself, Mr. NIX, Mr. EDWARDS of California, Mr. DRINAN, Mr. EILBERG, Mrs. GRASSO, Mr. HALPERN, Mr. ADDABBO, Mr. DULSKI, Mr. CELLER, Mr. CAREY of New York, Mr. ROSENTHAL, Mr. HARRINGTON, Mr. DELLUMS, Mr. PODELL, Mrs. CHISHOLM, Mr. HELSTOSKI, Mr. ABOUREZK, Mrs. ABZUG, Mr. BINGHAM, Mr. REID of New York, Mr. RYAN, Mr. RANGEL, and Mr. SCHEUER):

H.R. 7367. A bill to amend the Second Liberty Bond Act to authorize the United States to borrow \$20 billion to make intergovernmental advances during the next 2 fiscal years to States and local governments, and for other purposes; to the Committee on Ways and Means.

By Mr. BIAGGI (for himself, Mr. WRIGHT, Mr. GRIFFIN, Mr. CLARK, Mr. COLLIER, Mr. MURPHY of New York, Mr. DOWDY, Mr. JOHNSON of California, Mr. HASTINGS, Mr. VIGORITO, Mr. CHAPPELL, Mr. CHARLES H. WILSON, Mr. DANIEL of Virginia, Mr. KEMP, Mr. WILLIAMS, Mr. BYRNE of Pennsylvania, Mr. WOLFF, Mr. QUILLEN, Mr. ADDABBO, Mr. FASCELL, Mr. MELCHER, Mr. BYRON, Mr. O'HARA, Mr. HICKS of Washington, and Mr. BRASCO):

H.R. 7368. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide a system for the redress of law enforcement officers' grievances and to establish a law enforcement officers' bill of rights in each of the several States, and for other purposes; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.R. 7369. A bill to amend the Fair Labor Standards Act of 1938 to increase the minimum wage under that act and extend its coverage, and for other purposes; to the Committee on Education and Labor.

By Mr. BLANTON:

H.R. 7370. A bill to authorize the release of 100,000 short tons of copper from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

By Mr. BURKE of Massachusetts:

H.R. 7371. A bill to amend general headnote 3(a) (1) of the Tariff Schedules of the United States Annotated (1971); to the Committee on Ways and Means.

By Mr. BURKE of Massachusetts (for himself, Mr. BOLAND, Mr. CLARK, Mr. COLLINS of Illinois, Mr. CORDOVA, Mr. DELLUMS, Mr. EDWARDS of California, Mr. FLOOD, Mr. FRASER, Mrs. GRASSO, Mr. GRAY, Mr. GREEN of Pennsylvania, Mr. HELSTOSKI, Mr. HOWARD, Mr. PEPPER, and Mr. VANIK):

H.R. 7372. A bill to amend title II of the Social Security Act to provide a 50-percent across-the-board increase in benefits thereunder, with the resulting benefit costs being

borne equally by employers, employees, and the Federal Government, and to raise the amount of outside earnings which a beneficiary may have without suffering deductions from his benefits; to the Committee on Ways and Means.

By Mr. CAREY of New York:

H.R. 7373. A bill to amend the Internal Revenue Code of 1954 to equalize the taxation of certain cooperatives (other than marketing and purchasing agencies); to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 7374. A bill to amend the joint resolution establishing the American Revolution Bicentennial Commission, as amended; to the Committee on the Judiciary.

H.R. 7375. A bill to remove the statutory ceiling on salaries payable to U.S. magistrates; to the Committee on the Judiciary.

H.R. 7376. A bill to amend title 28, United States Code, to transfer Charlotte and Lee Counties from the middle to the southern district of Florida and Highlands County from the southern to the middle district of Florida; to the Committee on the Judiciary.

H.R. 7377. A bill to provide for the appointment of justices and judges to the offices of Administrative Assistant to the Chief Justice, Director, Administrative Office of the U.S. Courts, Director, Federal Judicial Center, and for other purposes; to the Committee on the Judiciary.

H.R. 7378. A bill to establish a commission on revision of the judicial circuits of the United States; to the Committee on the Judiciary.

By Mr. CORBETT:

H.R. 7379. A bill to provide additional benefits for optometry officers of the uniformed services; to the Committee on Armed Services.

H.R. 7380. A bill to increase the contribution by the Federal Government to the costs of employees' group life and health benefits insurance; to the Committee on Post Office and Civil Service.

H.R. 7381. A bill to amend chapter 83 of title 5, United States Code, to eliminate the survivorship reduction during periods of nonmarriage of certain annuitants; to the Committee on Post Office and Civil Service.

H.R. 7382. A bill to provide increases in certain annuities payable under chapter 83 of title 5, United States Code, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DINGELL (for himself, Mr. SAYLOR, Mr. WILLIAM D. FORD, Mr. KECHLER of West Virginia, Mr. KARTH, Mr. McCLOSKEY, Mr. NEDZI, and Mr. REUSS):

H.R. 7383. A bill to provide for comprehensive management of the Nation's forest lands through the application of sound forest practices, and for other purposes; to the Committee on Agriculture.

By Mr. EILBERG:

H.R. 7384. A bill to amend the prevailing wage provisions of the Davis-Bacon Act to include subsistence allowances; to the Committee on Education and Labor.

H.R. 7385. A bill to amend the Davis-Bacon Act to extend its protection to workers employed in the demolition, dismantling, removal, and/or salvaging of public buildings; to the Committee on Education and Labor.

By Mr. ERLBORN (for himself, Mr. BROWN of Ohio, and Mr. HASTINGS):

H.R. 7386. A bill to establish an Office of Consumer Affairs in the Executive Office of the President and a Bureau of Consumer Protection in order to secure within the Federal Government effective protection and representation of the interests of consumers, and for other purposes; to the Committee on Government Operations.

By Mr. FOLEY (for himself, Mr. ULLMAN, Mr. MATHIAS of California, Mrs. HANSEN of Washington, Mr. SISK, Mr. DON H. CLAUSEN, Mr. McCURE,

Mr. JOHNSON of California, Mr. HANSEN of Idaho, Mr. DELLENBACK, Mr. MCCORMACK, Mr. SHoup, Mr. MELCHER, Mr. TALCOTT, Mr. ABouREZK, Mr. BARING, Mr. RONCALIO, Mr. WYATT, and Mr. VEYSEY):

H.R. 7387. A bill to amend the Department of Agriculture Organic Act of 1944 to authorize the Secretary of Agriculture to enter into negotiated contracts for the protection from fires of lands under the jurisdiction of the Department of Agriculture, and for other purposes; to the Committee on Agriculture.

By Mr. FRASER:

H.R. 7388. A bill to authorize a family assistance plan providing basic benefits to low-income people, to provide incentives for employment and training to improve the capacity for employment of members of poor families, to achieve greater uniformity of treatment of recipients than under the Federal-State public assistance programs and to otherwise improve such programs and for other purposes; to the Committee on Ways and Means.

H.R. 7389. A bill to amend the Internal Revenue Code of 1954 to provide relief to certain individuals 65 years of age and over who own or rent their homes, through a system of income tax credits and refunds; to the Committee on Ways and Means.

By Mr. FULTON of Tennessee:

H.R. 7390. A bill 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; to the Committee on Agriculture.

By Mr. GAYDOS:

H.R. 7391. A bill to amend the Internal Revenue Code of 1954 to allow an income tax deduction for social security taxes paid by employees and by the self-employed; to the Committee on Ways and Means.

By Mr. GONZALEZ:

H.R. 7392. A bill to amend the Internal Revenue Code of 1954 to provide relief to certain individuals 65 years of age and over who own or rent their homes, through a system of income tax credits and refunds; to the Committee on Ways and Means.

By Mr. HAGAN:

H.R. 7393. A bill 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; to the Committee on Agriculture.

H.R. 7394. A bill to support the price of manufacturing milk at not less than 85 percent of parity for the marketing year 1971-72; to the Committee on Agriculture.

H.R. 7395. A bill to authorize the United States to transfer the nuclear vessel N.S. Savannah to the city of Savannah, Ga., for the purpose of preserving and establishing such vessel in its home port for all generations, as a monument to the peaceful uses of atomic energy; to the Committee on Government Operations.

By Mr. HALPERN:

H.R. 7396. A bill to amend the Internal Revenue Code of 1955 to allow a deduction against income tax to individuals for certain expenses incurred in providing higher education and to provide a tax credit for contributions to institutions of higher edu-

cation; to the Committee on Ways and Means.

By Mr. HANSEN of Idaho (for himself, Mr. BROWN of Ohio, Mr. DELLENBACK, Mr. FRENZEL, Mr. HASTINGS, Mrs. HECKLER of Massachusetts, Mr. KEMP, Mr. MYERS, Mr. POWELL, Mr. QUIE, Mr. STEIGER of Wisconsin, and Mr. WHITEHURST):

H.R. 7397. A bill to provide a comprehensive child development program in the Department of Health, Education, and Welfare; to the Committee on Education and Labor.

By Mr. HARSHA:

H.R. 7398. A bill to amend the Federal Water Pollution Control Act, as amended, to provide financial assistance for river basin programs; to the Committee on Public Works.

By Mr. HOGAN:

H.R. 7399. A bill to amend chapter 73 of title 10, United States Code, to establish a survivor benefit plan; to the Committee on Armed Services.

By Mr. HOGAN:

H.R. 7400. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 7401. A bill to exempt citizens of the United States who are 85 years of age or over from paying entrance or admission fees for certain recreational areas; to the Committee on Interior and Insular Affairs.

H.R. 7402. A bill to provide a penalty for unlawful assault upon policemen, firemen, and other law enforcement personnel, and for other purposes; to the Committee on the Judiciary.

H.R. 7403. A bill to amend the age and service requirements for immediate retirement under subchapter III of chapter 83 of title 5, United States Code, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HOGAN (for himself and Mr. GUDE):

H.R. 7404. A bill to authorize the construction of a low diversion structure or dam on the Potomac River, Md.; to the Committee on Public Works.

By Mr. HUNGATE (for himself, Mr. GUDE, Mr. DIGGS, and Mr. HARSHA):

H.R. 7405. A bill to extend the protection of the mechanic's lien law of the District of Columbia to subcontractors beyond the first tier, and for other purposes; to the Committee on the District of Columbia.

By Mr. JACOBS (for himself, Mr. BRADEMAS, Mr. EDWARDS of California, Mr. ADAMS, Mr. KYROS, Mr. HICKS of Washington, Mr. GALIFIANAKIS, Mr. SYMINGTON, Mr. MCCORMACK, Mr. PRYOR of Arkansas, Mr. VAN DERLIN, Mr. ANNUNZIO, Mr. BARRETT, Mr. BIAGGI, Mr. BLANTON, Mr. BRASCO, Mr. CAREY of New York, Mr. DAVIS of Georgia, Mr. DENT, Mr. DORN, Mr. ESHLEMAN, Mr. GAYDOS, Mr. GRAY, Mrs. GREEN of Oregon, and Mr. HALPERN):

H.R. 7406. A bill to extend the benefits under section 8191 of title 5, United States Code, to law enforcement officers and firemen not employed by the United States who are killed or totally disabled in the line of duty; to the Committee on the Judiciary.

By Mr. JACOBS (for himself, Mr. BRAY, Mr. FINDLEY, Mr. ADDABO, Mrs. CHISHOLM, Mr. SANDMAN, Mr. HASTINGS, Mr. HORTON, Mr. JONES of North Carolina, Mr. KASTENMEIER, Mr. BUCHANAN, Mr. CORMAN, Mr. HAMILTON, Mr. HATHAWAY, and Mr. MILLER of Ohio):

H.R. 7407. A bill to extend benefits under section 8191 of title 5, United States Code, to law enforcement officers and firemen not

employed by the United States who are killed or totally disabled in the line of duty; to the Committee on the Judiciary.

By Mr. JACOBS (for himself, Mr. HELSTOSKI, Mr. KLUCZYNSKI, Mr. MCDADE, Mr. MIKVA, Mr. PATTEN, Mr. PODELL, Mr. PREYER of North Carolina, Mr. ROBINO, Mr. ROSENTHAL, Mr. TIERNAN, Mr. ULLMAN, Mr. WALDIE, Mr. WAMPLER, Mr. WHITEHURST, Mr. WRIGHT, Mr. DOWDY, Mr. CARTER, Mr. ANDREWS of North Dakota, Mr. MADDEN, Mr. PERKINS, Mr. CULVER, Mr. HOGAN, Mr. KEE, and Mr. FLOWERS):

H.R. 7408. A bill to extend benefits under section 8191 of title 5, United States Code, to law enforcement officers and firemen not employed by the United States who are killed or totally disabled in the line of duty; to the Committee on the Judiciary.

By Mr. JACOBS (for himself and Mr. GIAMMO):

H.R. 7409. A bill to extend benefits under section 8191 of title 5, United States Code, to law enforcement officers and firemen not employed by the United States who are killed or totally disabled in the line of duty; to the Committee on the Judiciary.

By Mr. MCCORMACK:

H.R. 7410. A bill to amend section 620 of the Foreign Assistance Act of 1961 to suspend, in whole or in part, economic and military assistance and certain sales to any country which fails to take appropriate steps to prevent narcotic drugs, produced or proposed, in whole or in part, in such country from entering the United States unlawfully, and for other purposes; to the Committee on Foreign Affairs.

By Mr. McKEVITT:

H.R. 7411. A bill to establish a Federal Judiciary Council; to the Committee on the Judiciary.

By Mr. MELCHER:

H.R. 7412. A bill to suspend Federal financial assistance to the National Railroad Passenger Corporation until the Congress has approved the basic system of intercity rail passenger service designated by the Secretary of Transportation; to the Committee on Interstate and Foreign Commerce.

By Mr. MORSE:

H.R. 7413. A bill to assist workers whose jobs may be terminated by reductions in defense and space spending to establish a system of benefits to ease the transition of such workers to civilian occupations, to minimize the hardships encountered by communities which are dependent upon defense industry and employment, to encourage cooperation between the United States and defense contractors in meeting the challenge of economic conversion and diversification brought by changing defense needs of the United States, and to facilitate the transfer of public and private resources to new national priorities; to the Committee on Ways and Means.

By Mr. MORSE (for himself, Mr. ADAMS, Mr. BYRNE of Pennsylvania, Mr. CORMAN, Mr. ELBERG, Mr. FRENZEL, Mr. GOLDWATER, Mr. GROVER, Mr. HANSEN of Idaho, Mr. HELSTOSKI, Mr. HICKS of Washington, Mr. HORTON, Mr. HOWARD, Mr. MEEDS, Mr. NIX, Mr. REES, Mr. ROBISON, Mr. ROYBAL, Mr. ST GERMAIN, Mr. SARBARNES, Mr. WILLIAMS, Mr. CHARLES H. WILSON, Mr. WOLFF, and Mr. WRIGHT):

H.R. 7414. A bill to amend the State Technical Services Act of 1965 to make municipal governments eligible for technical services under the act, to extend the act through fiscal year 1974, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MOSS:

H.R. 7415. A bill to amend the Airport and Airway Development and Revenue Acts of

1970 to further clarify the intent of Congress as to priorities for airway modernization and airport development, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. NIX:

H.R. 7416. A bill making an appropriation to provide support for the Neighborhood Youth Corps summer support program for the summer of 1971; to the Committee on Appropriations.

By Mr. PATTEN:

H.R. 7417. A bill to promote fair practices in the conduct of election campaigns for Federal political offices, and for other purposes; to the Committee on Ways and Means.

H.R. 7418. A bill to provide that individuals entitled to disability insurance benefits (or child's benefits based on disability) under title II of the Social Security Act, and individuals entitled to permanent disability annuities (or child's annuities based on disability) under the Railroad Retirement Act of 1937, shall be eligible for health insurance benefits under title XVIII of the Social Security Act; to the Committee on Ways and Means.

By Mr. PATTEN (for himself, Mr. Kyros, and Mr. MIKVA):

H.R. 7419. A bill to amend title II of the Social Security Act to permit the payment of benefits to a married couple on their combined earnings record where that method of computation produces a higher combined benefit; to the Committee on Ways and Means.

By Mr. PEPPER:

H.R. 7420. A bill making an appropriation to provide support for the Neighborhood Youth Corps summer support program for the summer of 1971; to the Committee on Appropriations.

H.R. 7421. A bill to extend unemployment insurance coverage to agricultural labor; to the Committee on Ways and Means.

By Mr. PERKINS:

H.R. 7422. A bill to provide for the cooperation between the Federal Government and the States with respect to environmental regulations for mining operations, for the prevention, control, and abatement of water pollution, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PETTIS:

H.R. 7423. A bill to provide that State laws or regulations with respect to certain environmental matters shall not be preempted or nullified by Federal law until such time as regulations in lieu of such State laws or regulations are put into effect by or pursuant to Federal law; to the Committee on the Judiciary.

H.R. 7424. A bill to amend the Airport and Airway Development and Revenue Acts of 1970 to further clarify the intent of Congress as to priorities for airway modernization and airport development, and for other purposes; to the Committee on Ways and Means.

By Mr. PEYSER:

H.R. 7425. A bill to provide a comprehensive child development program in the Department of Health, Education, and Welfare; to the Committee on Education and Labor.

H.R. 7426. A bill to amend section 620 of the Foreign Assistance Act of 1961 to suspend, in whole or in part, economic and military assistance and certain sales to any country which fails to take appropriate steps to prevent narcotic drugs produced in such country from entering the United States unlawfully; to the Committee on Foreign Affairs.

By Mr. PEYSER (for himself, Mr. HARRINGTON, Mr. HALPERN, Mr. ANDERSON of Illinois, Mr. MITCHELL, Mr. LENT, Mr. RAILSBACK, Mr. COUGHLIN, Mr. MCKINNEY, Mr. FORSYTHE, Mrs.

HICKS of Massachusetts, Mr. ROSENTHAL, Mr. ROSTENKOWSKI, Mr. BIAGGI, Mrs. CHISHOLM, Mrs. ABZUG, Mr. WOLFF, Mr. ANDERSON of California, Mr. VANIK, Mr. FISH, Mr. KEMP, Mr. PODELL, Mr. CAREY of New York, Mr. REID of New York, and Mr. BELL):

H.R. 7427. A bill to repeal section 15 of the Urban Mass Transit Act of 1964, to remove certain limitations on the amount of grant assistance which may be available in any one State; to the Committee on Banking and Currency.

By Mr. PEYSER (for himself and Mr. DULSKI):

H.R. 7428. A bill to repeal section 15 of the Urban Mass Transit Act of 1964, to remove certain limitations on the amount of grant assistance which may be available in any one State; to the Committee on Banking and Currency.

By Mr. QUIE (for himself, Mrs. GREEN of Oregon, Mr. REID of New York, Mr. PUCINSKI, Mr. DELLENBACK, Mr. BRADEMAS, Mr. ESCH, Mr. ESHLEMAN, Mr. STEIGER of Wisconsin, Mr. HANSEN of Idaho, Mr. DENT, Mr. MAZZOLI, Mr. FORSYTHE, Mr. BADILLO, Mr. KEMP, Mr. PEYSER, and Mr. BUCHANAN):

H.R. 7429. A bill to assure an opportunity for occupational education (other than that resulting in a baccalaureate or advanced degree) to every American who needs and desires such education by providing financial assistance for postsecondary occupational education programs, and to strengthen the concept of occupational preparation, counseling, and placement in elementary and secondary schools, and for other purposes; to the Committee on Education and Labor.

By Mr. QUIE:

H.R. 7430. A bill to establish an Office of Consumer Affairs in the Executive Office of the President and a Bureau of Consumer Protection in order to secure within the Federal Government effective protection and representation of the interests of consumers, and for other purposes; to the Committee on Government Operations.

By Mr. ST GERMAIN:

H.R. 7431. A bill to protect ocean mammals from being pursued, harassed, or killed; and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. SAYLOR (for himself, Mr. STEIGER of Arizona, Mr. KYL, Mr. CAMP, and Mr. SEBELIUS):

H.R. 7432. A bill to provide for the settlement of certain land claims of Alaska natives, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SCHEUER (for himself and Mr. McCORMACK):

H.R. 7433. A bill to establish the Office of Drug Abuse Control within the Executive Office of the President; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHWENGEL:

H.R. 7434. A bill to equalize the retired pay of members of the uniformed services retired prior to June 1, 1958, whose retired pay is computed on laws enacted on or after October 1, 1949; to the Committee on Armed Services.

H.R. 7435. A bill to amend title 38, United States Code, to provide employment and relocation assistance for veterans; to the Committee on Veterans' Affairs.

H.R. 7436. A bill to amend title XVIII of the Social Security Act to eliminate the requirement that extended care services follow hospitalization in order to qualify for payment thereunder; to the Committee on Ways and Means.

H.R. 7437. A bill to amend the Internal Revenue Code of 1954 to increase from \$600

to \$1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. J. WILLIAM STANTON:

H.R. 7438. A bill to amend the Federal Water Pollution Control Act, as amended, and for other purposes; to the Committee on Public Works.

By Mr. STEIGER of Wisconsin (for himself, Mr. BRESTER, and Mr. FREY):

H.R. 7439. A bill to establish a Youth Council in the Executive Office of the President; to the Committee on Education and Labor.

By Mrs. SULLIVAN:

H.R. 7440. A bill to clarify and expand the authority of the Federal Home Loan Bank Board to regulate conflicts of interest in the operation of insured savings and loan associations, and for other purposes; to the Committee on Banking and Currency.

By Mr. TEAGUE of Texas (for himself, Mr. SAYLOR, and Mr. PURCELL):

H.R. 7441. A bill to authorize the payment of fees for civilian counsel and other expenses connected with the defense of members of the Armed Forces charged with certain crimes committed while engaged in combat; to the Committee on Armed Services.

H.R. 7442. A bill to amend title 10 of the United States Code to extend the benefits provided for civilians under the Ball Reform Act of 1966 to members of the Armed Forces; to the Committee on Armed Services.

By Mr. TIERNAN:

H.R. 7443. A bill to amend the Communications Act of 1934 to provide permanent financing for the Corporation for Public Broadcasting; to the Committee on Interstate and Foreign Commerce.

By Mr. TIERNAN (for himself, Mr. ROE, Mrs. HICKS of Massachusetts, Mr. ROYBAL, Mr. WOLFF, and Mr. BRASCO):

H.R. 7444. A bill to establish an independent agency to be known as the U.S. Office of Utility Consumers' Counsel to represent the consumers of the Nation before Federal and State regulatory agencies with respect to matters pertaining to certain electric, gas, telephone, and telegraph utilities; to provide grants and other Federal assistance to State and local governments for the establishment and operation of utility consumers' counsels; to improve methods for obtaining and disseminating information with respect to the operations of utility companies of interest to the Federal Government and other consumers; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. VANIK:

H.R. 7445. A bill to prohibit the introduction or shipping in interstate commerce of any polluting substance; to the Committee on Interstate and Foreign Commerce.

H.R. 7446. A bill to accelerate the schedule of tax reductions for individuals provided by the Tax Reform Act of 1969; to the Committee on Ways and Means.

By Mr. WHALLEY:

H.R. 7447. A bill to provide for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CHARLES H. WILSON:

H.R. 7448. A bill to provide for the Presidential appointment of the Director of the Federal Bureau of Investigation, to limit the Director's term of office, and for other purposes; to the Committee on the Judiciary.

By Mr. PEYSER (for himself and Mr. HATHAWAY):

H.R. 7449. A bill making supplemental appropriations for the Office of Education and related agencies, for the fiscal year ending June 30, 1972, and for other purposes; to the Committee on Appropriations.

By Mr. BLACKBURN:

H.J. Res. 544. Joint resolution instructing the Secretary of the Interior to call for an international meeting on the preservation, conservation, and protection of endangered species of fish and wildlife; to the Committee on Foreign Affairs.

By Mr. CONABLE:

H.J. Res. 545. Joint resolution expressing a proposal by the Congress of the United States for securing the safe return of American and allied prisoners of war and the accelerated withdrawal of all American military personnel from South Vietnam; to the Committee on Foreign Affairs.

By Mr. CORBETT:

H.J. Res. 546. Joint resolution to authorize the President to designate the period January 16, 1972, to January 22, 1972, as "International Printing Week"; to the Committee on the Judiciary.

By Mr. DINGELL (for himself, Mr. PELLY, Mr. KARTE, Mr. MAILLIARD, Mr. REES, Mr. MOSS, Mr. WALDIE, Mr. EDWARDS of California, Mr. HANNA, and Mr. DELLUMS):

H.J. Res. 547. Joint resolution to establish the Tule Elk National Wildlife Refuge; to the Committee on Merchant Marine and Fisheries.

By Mr. ESHLEMAN:

H.J. Res. 548. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. GARMATZ (for himself, Mr. DINGELL, and Mr. PELLY):

H. J. Res. 549. Joint resolution amending the Fishermen's Protective Act of 1967 in order to initiate action to resolve the recurring problem of seizures of U.S. fishing vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HUNGATE:

H. J. Res. 550. Joint resolution designating the second Saturday in May of each year as "Fire Service Recognition Day", and for other purposes; to the Committee on the Judiciary.

By Mr. RODINO:

H. J. Res. 551. Joint resolution to provide for the designation of the calendar week beginning on May 30, 1971, and ending on June 5, 1971, as "National Peace Corps Week"; to the Committee on the Judiciary.

By Mr. SCHNEEBELI:

H. J. Res. 552. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. SCHWENGEL (for himself and Mr. FRASER):

H. J. Res. 553. Joint resolution to provide for the designation of the calendar month of May 1971, as "Human Development Month"; to the Committee on the Judiciary.

By Mr. FINDLEY (for himself, Mr. BRASCO, Mr. COLLIER, Mrs. GREEN of Oregon, Mr. GUDE, Mr. MCCLORY, and Mr. ST GERMAIN):

H. Con. Res. 261. Concurrent resolution proposing unconditional, large-scale repatriation of enemy prisoners of war; to the Committee on Foreign Affairs.

By Mr. RARICK (for himself, Mr. SCHMITZ, and Mr. ROUSSELOT):

H. Con. Res. 262. Concurrent resolution expressing the sense of Congress that the United States offer sanctuary in the United States to anti-Communist South Vietnamese from the bestiality and tyranny of the North Vietnamese Communists; to the Committee on the Judiciary.

By Mr. RODINO:

H. Con. Res. 263. Concurrent resolution designating the last full week in July of 1971 as "National Star Route Mail Carriers' Week"; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H. Con. Res. 264. Concurrent resolution to designate the calendar week of May 10, 1971, as "Voluntary Overseas Aid Week"; to the Committee on the Judiciary.

By Mrs. ABZUG:

H. Res. 378. Resolution to provide for an investigation by the Committee on the Judiciary of the administration and operation of the Federal Bureau of Investigation; to the Committee on Rules.

By Mr. ANDERSON of California:

H. Res. 379. Resolution commemorating the 50th anniversary of Torrance, Calif., as a general law city; to the Committee on the Judiciary.

By Mr. BADILLO:

H. Res. 380. Resolution directing the Committee on Government Operations to investigate the failure of the Food and Drug Administration to take timely, effective steps to ban the use of contaminated intravenous solutions manufactured by Abbott Laboratories; to the Committee on Rules.

By Mr. DENT:

H. Res. 381. Resolution to express the sense of the House of Representatives that the United States maintain its sovereignty and jurisdiction over the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. HUNGATE (for himself, Mr. ANNUNZIO, Mr. BRINKLEY, Mr. CULVER, Mr. GALIFIANAKIS, Mrs. GRASSO, Mrs. GRIFFITHS, Mr. LONG of Louisiana, Mr. PERKINS, Mr. QUIE, and Mr. WAGGONNER):

H. Res. 382. Resolution urging the President to release appropriated public works funds now frozen; to the Committee on Appropriations.

By Mr. HUNGATE (for himself and Mr. FASCELL):

H. Res. 383. Resolution urging the President to release appropriated public works funds now frozen; to the Committee on Appropriations.

By Mr. SCHWENGEL:

H. Res. 384. Resolution amending the Rules of the House of Representatives to set aside a portion of the gallery for the use of scholars engaged in studies of the House of Representatives; to the Committee on Rules.

H. Res. 385. Resolution to change House rules relating to election of committee chairmen; to the Committee on Rules.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows: 112. By the SPEAKER: Memorial of the Legislature of the State of Nebraska, ratifying the proposed amendment to the Constitution of the United States extending the right to vote to citizens 18 years of age and older; to the Committee on the Judiciary.

113. Also, memorial of the House of Representatives of the State of South Carolina, relative to permitting McCormick County, S.C., to share in the revenue derived from the sale of electric power generated at the Clark Hill hydroelectric facility; to the Committee on Public Works.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS (by request):

H.R. 7450. A bill for the relief of German D. Anulacion; to the Committee on the Judiciary.

By Mr. ASPIN:

H.R. 7451. A bill for the relief of Corentin Georges Tatepo; to the Committee on the Judiciary.

By Mr. BOW:

H.R. 7452. A bill for the relief of Francesco Ferrante; to the Committee on the Judiciary.

H.R. 7453. A bill for the relief of Sara Laredo; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 7454. A bill for the relief of Mrs. Paola Fontana and her son, Girolamo Fontana; to the Committee on the Judiciary.

By Mr. DANIELSON:

H.R. 7455. A bill for the relief of Maria Christine Munoz de Reyes and Juan Pedro Reyes-Munoz; to the Committee on the Judiciary.

By Mr. FREY:

H.R. 7456. A bill for the relief of Lucia S. David; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.R. 7457. A bill authorizing the President to award the Medal of Honor to Harry S. Truman; to the Committee on Armed Services.

By Mr. GREEN of Pennsylvania:

H.R. 7458. A bill for the relief of Piero Andrei and Luigia Andrei; to the Committee on the Judiciary.

By Mr. HOLFELD:

H.R. 7459. A bill authorizing the President to award the Medal of Honor to Harry S. Truman; to the Committee on Armed Services.

By Mr. O'NEILL:

H.R. 7460. A bill for the relief of Benito, Rosaria, and Benedetto Bisconti; to the Committee on the Judiciary.

H.R. 7461. A bill for the relief of Gerardo LoPilato; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 7462. A bill for the relief of Pureza Ruiz Langusan; to the Committee on the Judiciary.

## SENATE—Wednesday, April 7, 1971

The Senate met at 10 a.m. and was called to order by the Acting President pro tempore.

The ACTING PRESIDENT pro tempore. The Senate will come to order.

Under the previous order and in accordance with the provisions of House Concurrent Resolution 257, as amended, the Senate stands adjourned until Wednesday, April 14, 1971, at 10 a.m.

ADJOURNMENT UNTIL 10 A.M.,  
WEDNESDAY, APRIL 14, 1971

Thereupon (at 10 o'clock and 14 seconds a.m.) the Senate adjourned until Wednesday, April 14, 1971, at 10 a.m.