

and I have apprised the distinguished majority leader before making the requests.

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECESS TO 9 A.M. ON TUESDAY, WEDNESDAY, THURSDAY, AND FRIDAY NEXT WEEK

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business on Monday, Tuesday, Wednesday, and Thursday of next week it stand in recess, respectively, until the hour of 9 a.m. on Tuesday, Wednesday, Thursday, and Friday.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR SENATE RESOLUTION 299 TO BE LAID BEFORE THE SENATE ON THURSDAY, JUNE 22, 1972

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that following the prayer on Thursday, June 22, 1972, the Chair lay before the Senate, Senate Resolution 299. This request has been cleared with Mr. HRUSKA and Mr. JAVITS.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the program for tomorrow is as follows:

The Senate will convene at 10 o'clock a.m. There will be routine morning business for not to exceed 15 minutes, after which the Senate will take up S. 3645, Radio Free Europe, under a limitation of 30 minutes. A rollcall vote will occur on S. 3645. That rollcall vote could occur conceivably as early as 10:30 a.m. tomorrow.

Next, the Senate will consider the amendment by Mr. ALLOTT to S. 3390, the Foreign Aid Act—Amendment No. 1241. There is a time limitation on that amendment of 1 hour. A rollcall vote will occur.

Next, the Senate will take up H.R. 5066, the Flammable Fabrics Act, under a time

limitation. At least one rollcall vote will likely occur thereon.

Finally, H.R. 15097, a bill making appropriations for the Department of Transportation, will be called up under a time limitation agreement. A rollcall vote will occur on final passage thereof.

Therefore, Mr. President, I would anticipate something like at least four yeand-nay votes, and hopefully no more tomorrow. I would also anticipate—and hope—that action on all of the foregoing measures can be completed by not later than 3 p.m. tomorrow.

ADJOURNMENT TO 10 A.M.

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 10 a.m. tomorrow.

The motion was agreed to; and at 8:22 p.m. the Senate adjourned until tomorrow, Friday, June 16, 1972, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate June 15, 1972:

INTERSTATE COMMERCE COMMISSION

Rodolfo Montejano, of California, to be an Interstate Commerce Commissioner for the remainder of the term expiring December 31, 1972, vice Laurence Walrath, resigned.

IN THE COAST GUARD

The following-named commanders of the Coast Guard Reserve to be permanent commissioned officers in the Coast Guard Reserve in the grade of captain:

Robert M. Bissey	James H. Lipscomb III
Ralph C. Bohn	James H. C. Lowe
Stephen Daniels	Thomas M. McKeithen
Ralph J. Diverio	Peter L. Murphy, Jr.
David Gaber	Joseph J. O'Rourke
Richard J. Gaedtko	Harold Perkins
Herbert K. Heasley	Oliver E. Thorpe, Jr.
Walter E. Johnson	George T. Vogel
Audrey H. Jones	Michael F. Walsh
James M. Kennelly, Jr.	Marion L. Weiss

IN THE ARMY

The following-named officers for temporary appointment in the Army of the United States to the grades indicated under the provisions of title 10, United States Code, sections 3442 and 3447:

MEDICAL CORPS

To be major general

Brig. Gen. Richard Ray Taylor, xxx-xx-xxxx, Army of the United States (colonel, Medical Corps, U.S. Army).

To be brigadier general

Col. Robert Wesley Green, xxx-xx-xxxx
Medical Corps, U.S. Army.
Col. Marshall Edward McCabe, xxx-xx-xxxx
Medical Corps, U.S. Army.
Col. Charles Calvin Pixley, xxx-xx-xxxx
Medical Corps, U.S. Army.

IN THE NAVY

The following-named lieutenant commanders of the line and staff corps of the Navy for temporary promotion to the grade of commander pursuant to title 10, United States Code, section 5787, while serving in, or ordered to, billets for which the grade of commander is authorized and for unrestricted appointment to the grade of commander when eligible pursuant to law and regulation subject to qualification therefor as provided by law:

LINE

Calhoun, John F.	Musgrove, Robert W.
Davis John D.	Rasmussen, John D.
Dellwo, Richard E.	Taylor, Bruce A., Jr.
Dorsey, Edward B.	Trout, Michael D.
Epley, James M.	Walker, Dodson D., Jr.
Giese, Carl E., Jr.	Zeller, Raymond G.
McCarty, Kenneth R.	

SUPPLY CORPS

Morgart, James A.

U.S. CIRCUIT COURTS

Levin H. Campbell, of Massachusetts, to be a U.S. circuit judge, first circuit, vice Bailey Aldrich, retiring.

U.S. DISTRICT COURTS

Robert L. Carter, of New York, to be a U.S. district judge for the southern district of New York, vice Thomas F. Croake, retired.

Thomas P. Griesa, of New York, to be a U.S. district judge for the southern district of New York, vice a new position created by Public Law 91-272, approved June 2, 1970.

Whitman Knapp, of New York, to be a U.S. district judge for the southern district of New York, vice Walter R. Mansfield, elevated.

Charles E. Stewart, Jr., of New York, to be a U.S. district judge for the southern district of New York, vice Sidney Sugarman, retired.

MISSISSIPPI RIVER COMMISSION

Subject to qualifications provided by law, the following for appointment as a Member of the Mississippi River Commission:

Rear Adm. Allen L. Powell, Director, National Ocean Survey, National Oceanic and Atmospheric Administration.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 15, 1972:

CORPORATION FOR PUBLIC BROADCASTING

The following-named persons to be Members of the Board of Directors of the Corporation for Public Broadcasting for terms expiring March 26, 1978:

Michael A. Gammino, Jr., of Rhode Island.
Joseph D. Hughes, of Pennsylvania.
Gloria L. Anderson, of Georgia.
Theodore W. Braun, of California.
Neal Blackwell Freeman, of New York.

U.S. POSTAL SERVICE

John Y. Ing, of Hawaii, to be a Governor of the U.S. Postal Service for the remainder of the term expiring December 8, 1972.

IN THE COAST GUARD

Coast Guard nominations beginning George F. Martin, to be lieutenant commander, and ending Paul J. Balzer, to be chief warrant officer, W-2, which nominations were received by the Senate and appeared in the Congressional Record on June 12, 1972.

HOUSE OF REPRESENTATIVES—Thursday, June 15, 1972

The House met at 12 o'clock noon.
Rabbi Steven M. Dworken, Congregation Shaarey Tphiloh, Portland, Maine, offered the following prayer:

Our Father in Heaven, as another session of Congress opens, we turn to You

for guidance in the discharge of its weighty and grave responsibilities. May this august body, through its legislation, further the ideals of equality, liberty, and justice for all upon which our beloved country is founded. May tranquility,

peace, and harmony reign within our borders, and may we be the harbingers of universal brotherhood.

Grant us of Your wisdom so that we may be leaders in promulgating the idea that the conference table is a far better

arena for settling differences than the battlefield.

May the day soon come when the vast sums spent on machinery of destruction can be spent on machinery of healing, balm, and peace. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

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

H.R. 5404. An act to direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the Arkansas Game and Fish Commission, and for other purposes.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 15093. An act making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, corporations, and offices for the fiscal year ending June 30, 1973, and for other purposes; and

H.R. 15259. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1973, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 15093) entitled "An act making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, corporations, and offices for the fiscal year ending June 30, 1973, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. PASTORE, Mr. MAGNUSON, Mr. ELLENDER, Mr. ANDERSON, Mr. ALLOTT, Mrs. SMITH, and Mr. YOUNG to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 15259) entitled "An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1973, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. INOUE, Mr. MONTOYA, Mr. HOLLINGS, Mr. ELLENDER, Mr. EAGLETON, Mr. HATFIELD, Mr. STEVENS, and Mr. YOUNG to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 473. An act to amend the Automobile Information Disclosure Act to make its provisions applicable to the possessions of the United States;

S. 3080. An act to amend the Lead-Based Paint Poisoning Prevention Act, and for other purposes;

S. 3104. An act to amend existing statutes to authorize the Secretary of Agriculture to issue cotton crop reports simultaneously with the general crop reports; and

S. 3338. An act to amend title 38, United States Code, to increase the rates of compensation for disabled veterans, and for other purposes.

RECESS

The SPEAKER. The Chair declares a recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 1 minute p.m.) the House stood in recess subject to the call of the Chair.

JOINT MEETING OF THE HOUSE AND SENATE TO HEAR AN ADDRESS BY THE PRESIDENT OF THE UNITED MEXICAN STATES

The Speaker of the House presided.

The Doorkeeper (Hon. William M. Miller) announced the President pro tempore and the Members of the U.S. Senate, who entered the Hall of the House of Representatives, the President pro tempore taking the chair at the left of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to conduct the President of the United Mexican States into the Chamber the gentleman from Louisiana (Mr. BOGGS), the gentleman from Massachusetts (Mr. O'NEILL), the gentleman from Pennsylvania (Mr. MORGAN), the gentleman from Texas (Mr. GONZALEZ), the gentleman from California (Mr. ROYBAL), the gentleman from Texas (Mr. DE LA GARZA), the gentleman from Texas (Mr. KAZEN), the gentleman from Illinois (Mr. ARENDS), the gentleman from California (Mr. MAILLIARD), the gentleman from Arizona (Mr. RHODES), the gentleman from Illinois (Mr. ANDERSON), the gentleman from New York (Mr. CONABLE) and the gentleman from New Mexico (Mr. LUJAN).

The PRESIDENT pro tempore. As President pro tempore of the Senate and on behalf of the Senate, I appoint the following Senators as a committee on the part of the Senate to conduct the President of Mexico into the Chamber: the Senator from Montana (Mr. MANSFIELD), the Senator from West Virginia (Mr. ROBERT C. BYRD), the Senator from Washington (Mr. MAGNUSON), the Senator from Alabama (Mr. SPARKMAN), the Senator from Texas (Mr. BENTSEN), the Senator from Michigan (Mr. GRIFFIN), the Senator from Maine (Mrs. SMITH), the Senator from Vermont (Mr. AIKEN), the Senator from New Hampshire (Mr. COTTON), and the Senator from Colorado (Mr. ALLOTT).

The Doorkeeper announced the Am-

bassadors, Ministers, and Chargés d'Affaires of foreign governments.

The Ambassadors, Ministers, and Chargés d'Affaires of foreign governments entered the Hall of the House of Representatives and took the seats reserved for them.

The Doorkeeper announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 12 o'clock and 32 minutes p.m., the Doorkeeper announced the President of the United Mexican States.

The President of the United Mexican States, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives, and stood at the Clerk's desk.

[Applause, the Members rising.]

The SPEAKER. Members of the Congress, it is my great privilege and I deem it a high honor and pleasure to present to you a distinguished representative of a great and free people, for whom we hold feelings of high regard and warm friendship. His Excellency the President of the United Mexican States.

[Applause, the Members rising.]

ADDRESS BY THE PRESIDENT OF THE UNITED MEXICAN STATES

President ECHEVERRIA. Mr. Speaker, Mr. President, Honorable Senators and Members of the House: I thank you for the honor of having invited me to speak before this Assembly which represents the American people.

The United States is the creator of one of the most significant experiences of contemporary history. The establishment of a society based on equality before the law and on the principles of political democracy drew people from all corners of the globe and made this land the source of great advances in the intellectual and material progress of humanity.

The United States was born during the era of the great ideological revolution of the XVIII century. The principles of liberalism were the source of its dynamic drive. However, the growing complexities of its internal and external life brought about attitudes that were not always in accord with the values of a system based on the right of all persons, groups of persons, or nations to self-fulfillment, within the framework of their own freedom.

One of the virtues of the American society is its capacity for deep thought and self-criticism which seems to correct its errors and to renew its concept of the world. Now that it has a greater awareness of its strength and the careful manner in which it should be used, we trust that it will devise a policy to meet the real demands of our time.

The United States is encouraging dialog with other world powers that have different ideologies. Apparently irreconcilable antagonisms have been attenuated and lines of communication that were closed for many years have been opened. Nevertheless, these changes have not yet been reflected in the policy of the United States toward the Third World

and toward the Latin American countries, in particular.

The nuclear threat and arduous economic competition among the great powers have made them seek self-limitation in peaceful coexistence. However, the end of the cold war will not be the beginning of a period of peace as long as the weak countries are excluded from its benefits.

The countries of the Third World are glad to see any negotiations and any agreement that tends to reduce international tensions, but they are suspicious of pacts between great powers that ignore the rights and interests of less developed nations.

We cannot be in agreement with those who try to reduce world politics to dealings among powerful nations. We agree even less with those who confuse power with the capacity to produce nuclear weapons. The possibility of oppressed nations to change is also a political fact whose importance we cannot underestimate.

Moreover, we understand that the solution of the main problems we now face—peace, security, and development—lies not in the formation of closed international clubs, but in the participation of all the peoples of the world in the decisions that affect them all.

A harmonious situation cannot be founded on the dissension of most of the inhabitants of the world. Our people are aware that their poverty produces wealth for others. The accumulated resentment against political colonialism is now reborn against economic colonialism.

Peace and progress depend to an ever-increasing degree on the attitude that we adopt together to close the alarming gap that separates the rich nations from the poor ones. Political and demographic pressures of less developed countries endanger the stability of wealthy societies. If effective policies of balanced development are not adopted, poverty will cross all borders.

History shows that the most powerful empires were destroyed by the contradictions and social conflicts which their own power produced. It is more sensible to lay the foundations of security on a better distribution of wealth than on the progressive stockpiling of arms and technological resources.

It is necessary to end an era in which the immediate interest of a few has prevailed over the permanent interest of many. Realism in politics and economics consists in obtaining constant and sound earnings and not in procuring quick profits, generally unfair and frequently imaginary.

With the same clearness of mind and pragmatism with which the need for mutual respect among powerful countries is recognized, it is necessary to understand that lasting peace depends on absolute respect for the way in which each country has chosen to achieve progress.

Colonial attitudes that should have disappeared still try to control international relations. The centers of world influence impose their conditions for exchange on the other countries. Moreover, they reduce the capacity of action of weak nations by opposing indispensable

transformation of structures or by intervening in the political processes of these nations.

The history of underdeveloped nations is a permanent struggle between the forces that seek social change and those that try to perpetuate injustice. The latter almost always have the support of powerful foreign groups that try to impose inadequate systems on countries whose true reality they ignore.

The great powers are beginning to understand the danger that such an attitude implies for their own stability. And this fact coincides with a better organization of the poor nations in defense of their legitimate rights and interests. Therefore the moment is ripe to unite efforts. The weak nations must be convinced that the basis of change resides in their own attempts to improve their situation. The powerful nations must keep in mind that civilizations are strengthened and survive not when they subjugate, but when they share.

Mexico participates in the problems, aspirations and demands of developing nations. The relations between our two countries are, in a certain way, a mirror of the American attitude toward nations that struggle for their liberation.

The United States is finding the way to harmonize its interests with those of the countries where the important revolutions of the XX century were made. Now it is better equipped to understand Mexico not only as a neighbor but as a nation born from an ideological and social movement with its own characteristics.

The foreign policy of Mexico toward the United States, as toward any other country, follows the nation's objectives: to strengthen its political autonomy, establish its cultural personality, extend the basis of its democracy, surmount underdevelopment, and put an end to any system of exploitation.

The main purpose of our visit to the United States on this occasion, in response to President Nixon's kind invitation, is to assess the relations between our nations and examine the real possibilities of establishing fairer treatment in the future.

The best way for us to fulfill these objectives is to express Mexico's points of view with clarity and firmness. To reach realistic and lasting agreements, we must define our respective positions.

Mexico does not expect special treatment from the United States, but only asks that our contacts and exchanges be regulated by the standards of fairness and respect that should govern all international relations.

We must proceed in our own way, we live our own life style and our own ideology. We do not try to impose our principles on anyone, but neither do we allow any foreign interference. We are respectful of the rights of others and want them to respect our rights. We are sure that a greater degree of cooperation between our two countries is not only feasible, but necessary.

I do not think this is the time for a detailed examination of the problems that we should solve together, but I believe it is advisable to refer to some of current interest.

To achieve a better understanding between our two countries, it would be advisable for you to consider certain problems which are not of great concern to American public opinion but which do have serious consequences for us.

The artificial salinity of the Colorado River is the most delicate problem between our two countries. The water from the Welton Mohawk Canal has severely affected the agriculture of the Mexicali Valley and has brought poverty to thousands of farmers. The damage is enormous and Mexican public opinion is becoming increasingly impatient about this important matter that has been going on for more than a decade without any satisfactory solution.

The Imperial Valley and the Mexicali Valley are part of the same river basin that the Colorado River irrigates. In the Treaty of 1944, it was agreed that the quality of the water to be delivered to us would serve useful purposes and therefore, the only possible interpretation of this instrument is equal conditions for both parties concerned. Voluntary pollution of the water that flows into our territory is an unacceptable form of discrimination.

Mexico does not wish to break the principles of our neighborly friendship by resorting to litigation; however, it expressly reserves its rights in Act 218 and will defend them vigorously under any circumstances.

In any case, it is impossible to understand why the United States does not use the same boldness and imagination that it applies to solving complex problems with its enemies, to the solution of simple problems with its friends.

Indications that there are minority groups who want to limit the import of Mexican agricultural products and forbid entry of goods, semimanufactured abroad with American raw materials and products, are also of concern to us. Both measures would be harmful to our already extremely unfavorable trade balance with the United States, and would also have negative effects on the American consumer.

Any new limitation that might be established on Mexican imports would be a severe setback to our bilateral relations. Lack of foresight could raise a barrier between economic structures that would obtain important reciprocal benefits if they were to effectively combine their resources. This would be inadequate.

We have made it clear, in other forums, that there can be no justification for the United States' delay in the adoption of the general scheme of tariff preferences, suggested by the Second World Conference on Trade and Development.

We do not aspire to special concessions in the field of foreign trade; but we consider it unfair that the exportation of our manufactured goods should not be compensated advantageously in view of the high prices that we are obliged to pay for the capital goods and technology that we require.

It is equally inexplicable, among countries solemnly dedicated to "join forces in order that their peoples may attain a

harmonious development", that measures such as the tariff reductions that have been granted by the United Kingdom, the European Economic Community, Japan and other industrialized countries, both capitalistic and socialistic, should not be adopted.

Let us not confuse private or local interests with national interests. Let us not permit our many contacts—the logical result of our geographic proximity—to make us forget the order of importance of the different factors that determine relations among states.

Mexico proposes to the people and government of the United States that we begin a new phase of our relations. Thus you would conform to the action you have taken in other areas, and we would attain the objectives that have always guided our foreign policy.

The interdependence of countries opens unsuspected possibilities of progress; but it also exposes us to new subjections dangerous in the measure in which they are disguised. That is why cooperation among independent states demands the full exercise of their sovereign rights.

Mexico has always defended the right of its people to freely forge their destiny. It searches incessantly for new social and economic formulas within the frame of its Constitution.

We hold that true development derives the impulse toward production from an equitable distribution of wealth and the satisfaction of social demands. We believe that growth without justice ends in the annulment of democracy and that freedom is only possible through equitable progress.

We do not want to negotiate, with other countries, advantages that favor economic minorities. The heritage of prolonged relationships of dependence should be combated, simultaneously, at the international level and within the scope of our own countries.

Autonomy before others and internal participation are inseparable goals of independent development. We do not wish to consolidate privileged groups that serve as obvious links with centers of power, nor cause a breach that would isolate us from the currents of progress.

If we can expand the scope of our collaboration, if we use the law and our good will to reconcile our differences, if we rigorously apply the standards of fair international coexistence to our relations, we will have made great progress along the road of our friendship. We will have contributed to the creation of a peaceful and prosperous future for both nations.

I have come to speak with you Senators and Representatives on behalf of a neighboring country and a friend of the United States. There is no true friendship without frankness, a frankness will lead us to the solution of common problems within a framework of justice. This means a renewal of our common faith in democracy using the unlimited possibilities of the human spirit, as long as it is developed within a framework of freedom, because the human spirit can develop only within an atmosphere which it needs. An atmosphere which it needs

can be provided only within a framework of political, social, and economic democracy.

We cannot divide the personality of man and think that we can solve his material problems without solving the problems that make up his whole composition. The instruments that man has created within the economic industrial field and his whole contemporary civilization in general in which he lives must be placed in the service of the whole man. That is why dictators attempt to divide man, to try to standardize him, and to try by compulsion to divide his very personality.

That is why in political relations within each country or in international relations among countries, if there is a predominance of the play of passing interests alone, we run the risk of interference with the full development of contemporary man.

So let us seek in our internal political relations within our own countries and in our international relations among ourselves this new sense of a new humanism, and let us not confuse ends with means, because the nations of this hemisphere were born with a special destiny that needs to be nurtured within those fields which give man his greatness, which is a greatness which we must not abdicate.

Senators and Representatives, I have brought you the cordial and warm greetings of the people of the Government of Mexico, leaving aside the rules of protocol and diplomacy that sometimes distract us from the very great truths of our time, in order that we may join together, working for our respective peoples, and I bring to you for the record Mexico's willingness and desire to speak with frankness to its great neighbor and friend, the United States, so we may obtain greater cooperation in the future and eliminate certain barriers that separate us now and perhaps in the future, so that in the future we may achieve a balance of development within a framework of freedom, which is so necessary for the human spirit and the spirit of democracy, to which we may ever aspire, and so we may work together in the future for the welfare of our peoples.

Thank you very much.

At 1 o'clock and 16 minutes p.m., the President of the United Mexican States, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Doorkeeper (Hon. William M. Miller) escorted the invited guests from the Chamber in the following order:

The Members of the President's Cabinet.

The Ambassadors, Ministers, and Chargés d'Affaires of foreign governments.

The SPEAKER. The purpose of the joint meeting having been completed, the Chair declares the joint meeting of the two Houses now dissolved.

Accordingly, at 1 o'clock and 20 minutes p.m., the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 o'clock p.m.

PRINTING OF PROCEEDINGS HAD DURING THE RECESS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

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

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 15259, DISTRICT OF COLUMBIA APPROPRIATIONS, 1973

Mr. NATCHER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 15259) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1973, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky? The Chair hears none, and appoints the following conferees: Messrs. NATCHER, GAIAMO, PRYOR of Arkansas, OBEY, STOKES, MCKAY, MAHON, DAVIS of Wisconsin, SCHERLE, McEWEN, MYERS, and Bow.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

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

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

There was no objection.

A TRIBUTE TO RETIRING TEACHERS

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

Mr. MAYNE. Mr. Speaker, I look forward with great pleasure to participating next week in the "Salute to Education" being planned by the National Education Association. I have the very highest regard for the teaching profession and am personally very indebted to the many fine teachers who contributed to my own education.

During the past 26 years, the teachers with whom I have had the most contact have been those teaching in the public schools of my home community of Sioux City, Iowa. My three children were all educated there, and I have had a firsthand opportunity to observe the dedica-

tion and excellence of those who were their instructors.

It is fitting that we gratefully acknowledge the longtime service of the following teachers in the Sioux City Community School District who, after teaching the following number of years, have retired the past year or will reach retirement by September 1:

Mrs. Alice Anderson, 45 years total in the teaching profession; Mrs. Mildred Carter, 43½; Miss Alice Jean Clark, 40; Miss Esther Coacher, 44; Mr. Lowell Crippen, 41; Mrs. Alice Fountain, 44½; Miss Irene Decker, 44½; Mrs. Olvena Foster, 29; Mrs. Ruth French, 26½; Miss Fay Freshwaters, 44; Mr. Emmett Fricke, 43; Miss Vesta Gifford, 38; Miss Dorothy Kay, 46; Mrs. Minerva Luikart, 27; Miss Nellie Mason, 43; Miss Ruth Nelson, 43; Miss Anna Marie Peelen, 40½; Mrs. Delia Retzlaff, 33½; Miss Dorothy Ryan, 44; Mr. Harold Stevens, 43; Mrs. Clara May Strain, 30; Miss Leita Stribley, 38; Mr. Clarence Wauer, 45; and Mrs. Mildred Wyma, 32½ years as a teacher.

APPOINTMENT OF CONFEREES ON H.R. 15093, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES, 1973

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 15093) making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, corporations, and offices for the fiscal year ending June 30, 1973, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts? The Chair hears none, and appoints the following conferees: Messrs. BOLAND, EVINS of Tennessee, SHIPLEY, CHAIMO, PRYOR of Arkansas, ROUSH, MAHON, JONAS, TALCOTT, McDADE, DEL CLAWSON, and Bow.

DEPARTMENTS OF LABOR, AND HEALTH EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATIONS, 1973

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. 15417) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1973, and for other purposes.

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. 15417, with Mr. HOLIFIELD in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose yesterday the Clerk had read through line 7, page 1 of the bill.

If there are no amendments to be proposed, the Clerk will read.

The Clerk read as follows:

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, \$69,207,000.

AMENDMENT OFFERED BY MR. DENNIS

Mr. DENNIS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DENNIS: On page 6, line 25, strike out "\$69,207,000" and insert in lieu thereof "\$49,207,000".

Mr. DENNIS. Mr. Chairman and members of the committee, this amendment simply cuts \$20 million from the appropriation for the necessary salaries and expenses for the occupational safety and health administration.

I do not think, Mr. Chairman, that in my brief time in this body I have ever received more mail objecting to an act and to the administration of that act than the Occupational Safety and Health Act has brought forth.

Because of that reaction, along with a great many other Members of this House, I have cosponsored legislation to introduce amendments designed to ameliorate the effect of that act on the small businessmen and on the farm.

Generally speaking, these amendments would exempt the small farmer from the effect of the act. They would exempt the employer of under 25 people from the effect of the act, and would postpone the effect of the act as to employers of less than 100 people. They would cut down on the arbitrary rulemaking authority of the administration.

I may be wrong, but so far as I can observe, the legislative committees involved are not about to do anything about holding hearings on these amendments in spite of the fact that there is a very widespread demand for them and a very widespread support for them in this House, judging by the people who have introduced legislation.

So, it seems to me, that we ought to seize on the opportunity to reduce the appropriation for the enforcement of the act, because that would do several things.

In the first place, it would send a message loud and clear to the legislative committee and to the people downtown that they have got to give some relief to the farmer and to the small businessman whom you and I represent, and who is being victimized, so to speak, under the regulations and the rules of this act.

In the second place, we could save \$20 million of the taxpayers' money and let it stay in their pockets, and at the same time that we are sending this message, we would also give them a little of their own money to use and we would take some of these inspectors off their backs.

If you cut it down to the appropriation last year, you would not take \$20 million off this appropriation—you would take off \$33 million. So I am al-

ready providing \$13 million more than last year by this amendment.

I think there is a reason for that, because the two things are not quite equivalent. They do have additional duties under the new law, and I am giving them \$13 million more to perform those duties under the terms of this amendment. But I do think a \$20 million reduction, which would put this down to just about a \$50 million appropriation instead of a \$69 million appropriation would be a good and beneficial thing.

It would cut some of the fat out of this. It would make it impossible to continue hiring myriad inspectors and other bureaucrats until we find out how many really need, and how they are going to administer this act.

It would give some relief to the small businessman and the farmer. Here is a practical thing we can do. We talk about giving these people help. We introduce bills, which nobody pays any attention to, but right here this afternoon we can take a \$20 million load off the taxpayers, and I do not know how many hundreds of bureaucrats off them also, as a practical relief in their everyday business operations.

I think the people I represent and the people you represent would appreciate our doing just that. So it is a very simple amendment, easy to understand, and its purpose is clear. It provides an opportunity to strike an immediate, although modest, blow for liberty, and I urge support of my amendment.

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

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

Mr. FINDLEY. I am much in support of the amendment. I wonder if the gentleman would clarify how his amendment would give relief to the small businessman from the application of the Health and Safety Standards Act. Could you amplify that a little?

Mr. DENNIS. As I understand it, they are asking for \$69 million, which is \$33,323,000 more than last year, so as to hire additional personnel to enforce this act and to go out and ride herd on you in the conduct of your business. If they do not have as much money, they cannot hire as many people to do that.

Mr. FINDLEY. If the gentleman will yield further, certainly adoption of the amendment would be notice to the executive branch that the Congress does want the small businessman virtually to be exempt from the application of the Health and Safety Standards Act, is that correct?

Mr. DENNIS. The gentleman is eminently correct. That is certainly what I am trying to do.

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

Mr. DENNIS. I yield to the gentleman from Iowa.

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

Heated controversy surrounded the Occupational Safety and Health Act when it was first introduced, debated and finally approved. Even before the law went into effect, its checkered legis-

lative history gave some indication of the difficulties it would encounter after passage. The act's intentions are praiseworthy—it aims to insure a safe and healthful working environment for every employee in the country—but, as so often happens, a great gap developed between intention and execution.

Much of the problem lies with the law itself. In an effort to insure strict and swift application of safety and health standards, it adopts a punitive approach to enforcement. Considering the complexity and universal applicability of the regulations—744 columns in the Federal Register—very little time was allowed to familiarize employers with their new duties. Most small businessmen and farmers have never been subject to such regulation before. Faced with a bewildering welter of minutely prescribed safety and health standards, they are at a loss to know which ones apply to them. Big corporations employ professional staffs solely in order to analyze and apply such standards. The small businessman cannot afford to hire a lawyer to interpret the law and an accountant to keep the records it requires. The first time he is even aware of a violation may well be when a Federal inspector slaps a fine on him for noncompliance.

The inspector is not being personally arbitrary when he does this. The law makes it mandatory to impose a "first instance sanction," an automatic penalty for the first violation. This may entail a fine of \$1,000, an insignificant sum for General Motors, perhaps, but a serious loss for the small machine shop operator who is subject to exactly the same rules. The law takes no cognizance of the employer's ability to pay the fine or to make the necessary changes in his operations to comply with the rules.

Realizing that the Occupational Safety and Health Act discriminates in effect if not in intention against small employers, Congress is considering a number of amendments to the law. I have introduced or cosponsored three bills exempting nonmanufacturing firms and those with no more than 25 employees, recognizing the difference between heavy and light residential construction, and proposing other changes to make the law more equitable and less onerous. These measures are designed to restore the balance between concern for employees' safety and realistic consideration for employers' problems and responsibilities.

As a first step I urge the House to adopt this amendment.

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

Mr. DENNIS. I yield to the gentleman from Iowa.

Mr. GROSS. I, too, rise in support of the gentleman's amendment. There seems to be no other way to stop the harassment of the bureaucrats than to rap their knuckles by cutting the funds that keep them in business. It is a good amendment.

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

Mr. DENNIS. I yield to the gentleman from Nebraska.

Mr. THONE. I, too, rise in support of the amendment.

Mr. Chairman, the Occupational Safety and Health Act of 1970 is imperfect legislation. The act should be amended in many respects.

The law provides that an OSHA inspector can walk into a place of business, decide that the agency's regulations are being violated and levy a fine up to \$1,000 on the spot. He may return the next day and levy another fine. This is the most flagrant violation of the American system of due process of law ever to come to my attention.

The act is written so that every farmer or shopkeeper who hires one part-time helper comes under the same Federal requirements for safety and health as major factories.

The House Special Subcommittee on Labor has not scheduled hearings on any of the many bills introduced to amend this act. Reducing the OSHA appropriations will send a message to the subcommittee that it is time to schedule hearings.

This act is being administered poorly in my opinion. In administering OSHA, the Labor Department has issued a directive that the same regulations shall apply to the builder of one house at a time as apply to the contractor building a giant dam or a high rise office building. Commonsense dictates that they should be different standards for heavy outright construction.

In administering this act, the Labor Department has ruled that when one farmer helps another, an employer-employee relationship exists even though no money changes hands. In other words, the heavyhanded, bureaucratic regulations of OSHA are about to end the centuries-old tradition of neighbor helping neighbor.

In administering this act, the Labor Department have issued volumes of regulations, many of which have no bearing on the health or safety of employees. For example, OSHA has decreed that a toilet seat must not be a complete circle. OSHA proclaims that a toilet seat must be split in the front. Officials of the Labor Department have been unable to explain to me how this contributes to the health and safety of employees.

The Labor Department has been uncooperative in administering the Occupational Safety and Health Act. When a businessman wrote asking that someone come to his shop to explain the law, he received an answer which said that if OSHA officials came to his shop, they would make an inspection and if they found violations he would be fined.

The Labor Department has been uncooperative when Members of the House of Representatives and the Senate have pointed out OSHA regulations that are silly or of no contribution to health and safety. Reducing the OSHA appropriations will send a message to the Labor Department that it is time to revise the regulations of this act so that they make sense.

I urge approval of the amendment.

Mr. FLOOD. Mr. Chairman, of course I rise in opposition to the amendment. It should not be necessary for me to go into a song and dance as to why. I understand the position and the feelings of the

gentlemen who have indicated support for the amendment. The committee knows about the problems. The committee knows about the mail. But my friends who say they are now in opposition to funding the program know perfectly well that that is not the way to combat this kind of problem, that is not the way to meet this kind of problem, that is not the way to solve this kind of problem. We went through all of this at great length in the committee.

Keep in mind what we are talking about. When Congress passed the Occupational Safety and Health Act, I am sure this was not done with tongue in cheek or anything like that. This is a basic, organic law. We passed this act with the expectation that it would be enforced. This is the Occupational Safety and Health Act. The act must be enforced, which makes a lot of people unhappy. No matter whether you are talking about a traffic light or a piece of legislation like this, a lot of people get unhappy.

A lot of things have happened that were wrong. There is no question about that. Somebody always goofs a little here and there on something like this—so far-reaching, and new, and of such major import. But this is not the way to proceed: "Let's cut out the money and put handcuffs on those clowns downtown." That is not the way to do it.

Mr. Chairman, this act covers approximately 60 million employees and almost 5 million establishments throughout the entire Nation. The amount in the bill provides for only a little over 1,000 jobs to enforce the bill's requirements relating to 60 million workers in 5 million places. Just about 1,000. That is what? One for every 4,000-plus establishments in the country, one inspector for about 4,000 places. Good heavens. Reduction in enforcement? Why, the amendment would defeat the entire purpose of the act and, by the way, that would be to the detriment not only of the employees but of society at large, who must pay the costs of these thousands and thousands of preventable occupational injuries, illnesses, and deaths. That is what this bill is for. The entire society is involved, not merely the businessman.

There is no question several somebodies have made mistakes and we have had the to-be-expected reactions. I have seen the mail. There is no doubt about this. We went into this thing in the hearings with these people and I took these people apart and so did the rest of the committee. We knocked their brains out for the very reasons the gentlemen who support this amendment are talking about.

I think every Member of this House has received these complaints about overly zealous enforcement activities. We know about that. But to the extent there is a problem, the committee feels that this is one that can be worked out with better training and supervision of the Departments' compliance officers.

Do not forget this. Also, every Member of this House has seen and has heard allegations on the part of organized labor on this. They say that the budget does not provide half enough inspectors to do

a proper job of enforcing this act. There is no question about that.

This, of course, should be defeated. This is not the way to improve the enforcement of this act—obviously.

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

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

The CHAIRMAN. The Chair will count. One hundred Members are present, a quorum.

The gentleman from Idaho is recognized for 5 minutes.

Mr. McCURE. Mr. Chairman, I was going to offer an amendment to eliminate all of the funds to operate the Occupational Health and Safety Act except for the Review Commission.

Many of us harbored some fears about the OSHA bill when it was before us a year-and-a-half ago, but I dare say that not in our wildest dreams did we envision it becoming the bureaucratic nightmare it is today.

When the Daniels bill was reported out of committee, it was obvious that the Federal Government was about to usurp the safety field once and for all. So, we looked for the most reasonable approach—one that not only assured the worker he was working under safe conditions, but one that assisted—rather than penalized—the businessman.

The most reasonable alternative before us appeared to be the Sikes-Steiger substitute. It had the support of the administration and the support of business. Both the U.S. Chamber of Commerce and the National Association of Manufacturers urged its adoption. A majority of the Members of this body voted to substitute it for the original bill and it was then adopted by a vote of 383 to 5.

We were then told that the conference report was also reasonable. And they said that, after all, this is a reasonable administration, so the law will be administered reasonably too.

Finally, we were told that if it does not work out as planned, Congress can always amend the law. Well, it has not worked out, and we find ourselves virtually helpless. In the intervening months, approximately 75 bills have been introduced in the House, including one of my own, to amend the law, but no action has been taken on any of them.

So these amendments are not offered merely to hamstring the Department of Labor, but rather to get the attention of the administration and to get the attention of our congressional leaders and to say to them, "This law is not working out as planned. Small businessmen are being harassed needlessly. Some are on the verge of closing down. Men will be thrown out of work and the unemployment rates increased—all in the name of safety. And it is wrong."

If the adoption of the Dennis amendment forces the administration and the Education and Labor Committee to take the coercion out of the Occupational Safety and Health program, then I say we will have put in a pretty good day's work.

I want to reiterate the fact that this amendment would not strike the funds

for the Review Commission. If there is one thing the business community needs now, it is someplace to turn to try and repair the damage already done. In this connection, I am also introducing today a bill which would help some of these people recover the costs of taking their protests into the court. It makes the United States liable for court costs and attorney's fees to persons who prevail over the Government in actions arising out of administrative actions of Federal agencies.

You all have had the same complaints, the same pleas from small businessmen that I have had. You know something is going to have to be done. The big businessman can probably ride out this act, but the little fellow who has sunk his life's wages into his business probably cannot. There has been enough talk about OSHA. This is the one and only opportunity you are going to have this year to really do something about it. I urge you to join me in taking the first step toward correcting the outrageous administration of this law.

The following is an excerpt from a constituent dated March 1, 1972:

The initial OSHA inspection was made at our plant on December 2, 1971. At that time the federal inspector established certain deadlines to meet all necessary corrections which he felt were necessary. On his subsequent inspection on February 8, 1972, we were found to have complied with all major corrections and most of the minor corrections as identified by this federal inspector.

On the first inspection on December 2, 1971, we were fined the sum of \$500.00 for violations as identified by the federal inspector. On February 8 during his follow-up visit, he found three minor violations which since have been corrected.

The three minor violations as identified by the federal inspector were:

(1) One of our receivers had that day, inadvertently dropped a pallet of glue blocks in front of one of our portable fire extinguishers causing an obstruction.

(2) We had failed to paint the weight load capacity on one of our overhead crane assemblies (not that the hoist assembly was insufficient for the loads carried; but that the maximum load weight capacity was not painted in legible figures.)

(3) We were advised to provide additional water closet facilities for the employees. This we failed to do due to a lack of communication . . . For this we assume total responsibility.

Our concern is with the severity of the fines for the minor violations. (1) Obstruction in front of fire extinguisher \$6600.00. (2). Weight load not painted on hoist assembly \$2900.00. (3). Fined for not providing water closet facilities, for which we accept responsibility, \$700.00. Total fines \$10,260.00 plus a \$500.00 initial fine on January 4, 1972.

This, I believe, illustrates the exact reason why there are those of us who are willing to take some very drastic steps at this point to get the message to the people who are charged with the enforcement of this act, that they are being unreasonable, arbitrary, and capricious, that their actions are confiscatory and will not result in saving lives but will result in the loss of jobs and the closing of businesses.

I believe it is high time that the Congress spoke up and made itself heard and heard in terms the people downtown

can understand. This is the way it ought to be done. I know of no other way in which this message will be given to them downtown.

I have heard it said that the committee has raised some questions and has told them they ought to do better. I ask if there has been one change for the better in the administration of this act since that took place, and the answer, of course, is that there has not.

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

As the chairman said, we gave this a thorough hearing in the committee. When we had the markup, this issue took the longest to discuss in the entire bill.

There were those on the subcommittee who wanted to add around 400 new inspectors, and add \$5 million. We labored hard and debated that particular item longer than any other item in this bill.

After the subcommittee worked its will it was determined that this was a fair number to carry out the Occupational Safety Act which was enacted by the Congress.

Now we hear about some of the abuses under the act. I would be the last person to stand up here to say that there are no abuses under the act, but this is not the way to go about correcting them. To try to come here to "gut" this particular item is the wrong way.

If there are those who feel the intent of the law as passed by the Congress is not being carried out, let them go to the Committee on Education and Labor and seek an amendment to the act. They should not come in through the back door to try to "gut" the act.

The Select Committee on Small Business, on which I am the ranking Republican member, in the next few weeks will hold extensive hearings on this particular matter. Shall industries throughout the United States have been called in before that committee to express their grievances. Hopefully, if the evidence proves that changes should be made some of the members of that committee will then offer amendments to the act before the Committee on Education and Labor.

I offer today my colleague from Idaho and my colleague from Indiana the opportunity to come before the Select Committee on Small Business, to testify, and to present to that committee the evidence they have of abuses under the act.

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

Mr. CONTE. I will be glad to yield to the gentleman.

Mr. McCURE. The gentleman from Massachusetts heard me read the letter that I had received from a gentleman in my district in Idaho, and I am sure the gentleman would agree that the enforcement of this is arbitrary and capricious, and that this is wrong.

Mr. CONTE. I do not believe that on the strength of one letter we should take the approach the gentleman is suggesting. I say let us do it right, and I invite the gentleman, and the gentleman who wrote him the letter, to come before the committee and testify. We would like to have them do so.

Mr. McCLURE. Mr. Chairman, will the gentleman yield further?

Mr. CONTE. I will agree that there are grievances. I know there are grievances, and there are abuses to the law. All I am saying is that this is the wrong way of going about handling it. Instead they should come up before the Select Committee on Small Business, make their presentation, and do it in the proper manner.

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

Mr. CONTE. Mr. Chairman, I have nothing further to say, and I hope that the amendment is defeated.

Mr. McCLURE. I thank the gentleman for his courtesy.

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

Mr. Chairman, as chairman of the Select Subcommittee on Labor which has jurisdiction over this particular subject matter, I brought the bill to the House floor, but a substitute was adopted, as mentioned by the previous speakers.

However, I would like to say that the bill is substantially the same as the bill that was originally introduced.

If there are any abuses or complaints with regard to the enforcement of this law then the blame belongs downtown with the Department of Labor. There are not sufficient inspectors. We have a little over 1,000 inspectors, as our distinguished chairman of the Appropriations Subcommittee, the gentleman from Pennsylvania, has indicated, who supervise 5 million plants encompassing 55 million to 60 million employees.

I might point out that if fines are being imposed which are deemed to be arbitrary, the Secretary of Labor has the authority to compromise those fines.

As a matter of fact, I sent a letter to the Secretary of Labor protesting the manner in which fines are imposed and compromised. He is required under the law to give his reasons in the Register, and this he has failed to do. There is no question about that, and I have seen this happen time and again since the enactment of this bill.

But, Mr. Chairman, I further believe that the approach being taken here today is absolutely wrong. I have received some objections, as have other Congressmen, about half a dozen, and I want the Members to know that I propose to hold hearings before the end of the year.

This amendment is not the way to go about correcting any abuses that may be in this law. If any changes are deemed desirable in this law then they should be considered in the committee, and if they can prove their case before the committee then we can make the changes to correct any abuses that are taking place.

Therefore, Mr. Chairman, I ask for the defeat of this amendment.

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

Mr. Chairman, we are getting the same old story of procrastination over and over again. I doubt if there is a Member of this House who has not had protests over the enforcement of this occupational safety law. Cases have been related. The chairman of the subcommittee that brought the bill to the House floor ad-

mitted the law has not been well administered. So did the gentleman from Massachusetts (Mr. CONTE).

But it is the old story all over again, wait until tomorrow or next year to do something about it, meanwhile the operators of plants throughout the country, particularly the small operators, are the victims of harassment and abuse. If I remember correctly, the gentleman from New Jersey suggested at one time that the inspectors be allowed to close down plants. If they had that power there would be a lot of small plants closed today.

Mr. DANIELS of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from New Jersey.

Mr. DANIELS of New Jersey. Mr. Chairman, I would respectfully refer the gentleman to the debate on the floor of the House with regard to the provisions dealing with imminent dangers. I proposed on the House floor when the bill was first considered that that provision be eliminated because I deemed it to be an unreasonable provision.

But I would also like to remind the gentleman from Iowa, if I may continue—

Mr. GROSS. Yes, I yield to my friend from New Jersey.

Mr. DANIELS of New Jersey. We have in this country 14,500 workmen who are killed on the job annually, and in addition to that there are other innumerable instances of accidents, some 2.2 million people in this country being disabled.

Mr. GROSS. Just 1 minute. How many plants and businesses are going to be closed by the kind of administration of the occupational safety law that we have had up to this point?

The gentleman from Massachusetts (Mr. CONTE) said that we should go to the Committee on Small Business for legislation to stop the harassment. The Committee on Small Business is not a legislative committee, and the gentleman knows it. Even if you were to go to the Committee on Education and Labor for the corrective legislation, in my opinion the gentleman from Massachusetts might just as well take a running jump into the Potomac River as far as getting any real help by way of legislation to stop the abuses.

Mr. DANIELS of New Jersey. If the gentleman will yield further, I would say that I have the greatest respect for the gentleman from Iowa, and the gentleman knows that I have the highest regard for his ability. May I say that I have not heard any complaint from the gentleman; he has not sent me any letters complaining about this fact, and I have had only half a dozen at the most from other Members.

Mr. GROSS. I do not know whether the gentleman has received complaints. I assumed the gentleman has been hearing, as I have from businessmen, and would operate on his own initiative.

Mr. DANIELS of New Jersey. If the gentleman has received complaints and has not reported them to the proper authority, which is the Committee on Education and Labor, then I believe that the gentleman should do so.

Mr. GROSS. I will be glad to do so.

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

Mr. Chairman, I have the rather dubious honor, I suppose, of not being present and being a Member of this House when this bill was passed in a previous session. But at the time it was passed, I did applaud it because the title, as such, sounded like something we did need. However, the application of it has proven to be exactly the opposite.

In directing a reply to the gentleman from Massachusetts in offering time to be heard before the Select Committee on Small Business, I thank him for the privilege. He has accepted my application. I will be there to testify. I say to the gentleman from New Jersey who has said that he will hold oversight hearings on this particular bill, I am waiting to hear, though, when they will have hearings on legislative proposals and amendments to this bill that will do something about it.

I am afraid that we are getting no place with nothing but oversight hearings.

Mr. DANIELS of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. SHOUP. I yield to the gentleman.

Mr. DANIELS of New Jersey. Mr. Chairman, our committee has been holding hearings on other legislation that has been pending since last year. We have in committee a number of important bills. I assure the gentleman we will have hearings early this fall.

Mr. SHOUP. There will be legislative hearings on proposed amendments?

Mr. DANIELS of New Jersey. Oversight and on proposed amendments, yes.

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

Mr. SHOUP. I yield to the gentleman.

Mr. McCLURE. Mr. Chairman, I thank the gentleman for yielding.

I think the record should be made straight so that people do not get confused.

Mr. Chairman, when you are talking of mining accidents, you are talking about an entirely different body of legislation, as the gentleman well knows. Whatever mine accidents do occur are under different legislation in spite of different legislation. I, along with others, have asked for the strengthening of that legislation to make mines as safe as possible and to get good ones.

But this is an entirely different body of law and an entirely different inspection procedure.

It is not just one letter that I have received and read, but there are dozens of letters that I have not read that ought to be made a matter of record and that ought to be considered by this Congress.

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

Mr. SHOUP. I yield to the gentleman.

Mr. SCHERLE. Mr. Chairman, as a former member of the Committee on Education and Labor, we held extensive hearings clear across the country and the legislation finally passed in the House was certainly not the legislation that the committee acted upon and worked on for many, many months. The final version was the Senate bill and rewritten by the majority staff on the House committee. It appears this legislation was designed

to harass and force small business out of business.

Mr. SHOUP. Mr. Chairman, we have heard continual references to small industry and to small businessmen and to the businessman.

I would like to ask the gentleman from Pennsylvania, who certainly supports the bill as written and as it is being administered, and supports the additional money—what do I answer to my working people who are saying, "Dick, when are you going to get around to helping us to get better working conditions and get more safe conditions and more healthful conditions?"

"The last time an inspector came to our plant and in our business, he spent more of his time going into the rest rooms and counting the number of hangars and seeing whether the lids were on the waste baskets."

"When is he going to get out into the plant and find out if we have safe working conditions or not?"

I cannot agree with him to put more money into this program.

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

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Indiana.

While I want very much for the workers of this Nation to be protected by adequate safety and health laws, I do not believe an additional amount of money to hire more OSHA inspectors within the Department of Labor is going to contribute anything toward the promulgation and enforcement of occupational safety and health standards.

In the committee report on H.R. 15417, it states:

The Committee has received many complaints of overly zealous enforcement officers and other complaints of great difficulty in getting assistance from the Department in interpretation of the standards and regulations in order to determine whether or not a particular workplace is in compliance or what would be required to get it in compliance.

This describes exactly the occurrences in my State of Wyoming time and time again.

It is for this very reason that I have introduced an amendment to the Occupational Safety and Health Act which would provide for a first-time, on-site inspection by Department of Labor officials for the purpose of giving advice, not fines. It is for this very reason that I have urged the leadership of the House of Representatives to hold hearings on the Occupational Safety and Health Act so that we can take a look at the difficulties faced by small businessmen, farmers, and ranchers in trying to comply with this new law. It is for this very reason that I am opposing any increased funding for the employment of additional OSHA inspectors.

All indications I have point to the possibility that more Department of Labor inspectors will result in one thing—more harassment for the small businessman, farmer, and rancher.

In my State of Wyoming the Occupational Safety and Health Act has caused nothing but chaos. Businessmen have been besieged with Department of Labor

officials who are passing out fines even before owners and managers have received a copy of the 400-plus-page document detailing the rules and regulations to which they must comply.

Furthermore, when the 400-page document is received, the farmer, rancher, and small businessman is overpowered with the duty of wading through each page and trying to decide which rules apply to his own operation.

The Department of Labor is not administering the Occupational Safety and Health Act, Mr. Chairman. In addition to a reluctance to provide guidance and information, I have received reports of arbitrary fines, rudeness, and sarcasm on the part of Department of Labor inspectors. The overall effect has been to drive a serious and growing wedge between the public and the Federal Government.

Although I was not a Member of Congress when the Occupational Safety and Health Act was passed, I feel a real responsibility to putting forth my best efforts in helping to bring some justice and equity to the act.

One mistake was made when the Department of Labor was given a free rein on devising rules and regulations regarding safety and health. We would be doubling the injustice to small businessmen, ranchers and farmers if we were to call for more inspectors to cause more harassment, more rudeness, and more arbitrary penalties. Furthermore, we would be failing in our duties of listening to the citizens to whom we are responsible.

Based on past attitudes and activities, Mr. Chairman, the Department of Labor has no right to an additional penny for the promulgation and enforcement of occupational safety and health standards.

I have letters to support my position from employers in Wyoming, of 10 or 15 people or less, saying that they had written to OSHA's Denver office for guidance, but were threatened only with a fine.

This has gone on month after month, and now we expect to give the Department of Labor an additional \$20 million to reward them for that type of public service, I submit, is a reflection on all of us. I submit that if Members have a conscience for their duties they will support the amendment.

The gentleman from Texas (Mr. FISHER) joins me in that support, as do the gentleman from Montana (Mr. MELCHER), the gentleman from South Dakota (Mr. DENHOLM), the gentleman from Nebraska (Mr. THONE), and the gentleman from Kansas (Mr. SEBELIUS). We have joined four of our colleagues in the other body asking for amendments. But we get vague promises of a hearing. We are not asking that the law be repealed or that it be amended with relation to those employers who employ 25 or less. We are not trying to cut the guts out of the enforcement procedure. We believe that every employer should have safe premises for his employees regardless of size.

The Department of Labor has loused this up so badly sometimes I wonder if this administration really seeks to subvert the entire OSHA program. Instead of giving attention to the places where

14,000 deaths annually occur we find the inspectors determining what kind of rest rooms should be provided in barber-shops, or telling an automobile dealer that he must put a restroom in his premises for his wife, even though they use the same restroom at home.

I urge support of this decent amendment.

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

The CHAIRMAN. The gentleman from California is recognized.

Mr. SISK. Mr. Chairman, I hate to take time on this question, but I think we are all concerned about the same thing. It seems to me the thing we are attempting to do in this amendment—and I have great sympathy for the problem my friend from Wyoming has, because I have similar problems—but I question whether this is the way to get at them. I think many of us supported the bill. I was a strong supporter of the bill introduced by my good friend from New Jersey for health and safety, because I thought we needed it.

I take this time primarily to direct a few questions to my colleague from New Jersey (Mr. DANIELS). It was my understanding that a few moments ago the gentleman indicated that he expected to hold hearings this year. Did I understand correctly?

Mr. DANIELS of New Jersey. Absolutely correct, hearings will be held.

Mr. SISK. Do you have at this moment in time any particular idea of the scope or to what extent you expect to go into that subject? I raise the question for this reason: A number of questions have been raised in my area similar to the problems my friend from Wyoming and others are experiencing. I have been informed basically by the staff of the Committee on Education and Labor that they felt there was enough flexibility to have corrected some of the abuses that were going on in the assessment of very unfair fines and the way they were being handled. Does the gentleman basically agree with that, or does he feel that we will probably have to amend the act?

Mr. DANIELS of New Jersey. No, that is absolutely true. The Secretary has the authority under the act to fine up to \$1,000 for each violation. But he also has the necessary discretion under the act to compromise those fines. The act also provides that when he does effect a compromise, he must insert the facts in the Register and give his reasons for the compromise.

There are a lot of things the Secretary is not doing, and I brought them to the Secretary's attention, but he disagreed with my interpretation of the act.

Mr. SISK. May I ask the gentleman another question on the act and the way it is being administered? We have, for example, some rather blanket across-the-board rules and regulations that are being laid down, particularly in the area of construction. They are apparently using the same requirements, the same criteria, if you are building a one-story home as though you were building a 40-story skyscraper in New York. Is it not a fact that there is flexibility enough in the law that requirements and criteria

could be on the basis of the type and kind of job it is?

Mr. DANIELS of New Jersey. I will say to the distinguished gentleman from California that your understanding with reference to the manner in which the Secretary is enforcing this law is correct. The Secretary does have the right under the law to establish a different set of standards for the light construction industry as distinguished from the heavy construction industry. Therefore, those people in the light construction industry can petition the Secretary of Labor to establish the necessary standards or conduct the necessary hearings for those standards to be established. I have received complaints on that matter. I do not know what the Secretary of Labor has done about that, but we will consider the subject hereafter when we conduct our hearings.

Mr. SISK. I appreciate the comments of the gentleman. I do hope he looks into this, because what he has said has been my understanding. Apparently there have been petitions by the light construction industry. I am talking primarily of the homebuilders where these fellows never get more than 6 to 8 feet off the ground. Apparently there has been an absolute refusal to consider any different kind of regulation or criteria with respect to those people.

I appreciate the comments of the gentleman. I basically support the committee headed by the gentleman from Pennsylvania because I doubt that this is the way to get at the problem. I think we had better move through the legislative committee.

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

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

Mr. COLLIER. Mr. Chairman, I ask the gentleman to yield just for one observation. I become a little disturbed when I hear on the floor of this House that the responsibility for interpreting a law which this Congress passed should be laid upon the bureaucrats in the Labor Department. If the law was written properly in the first place, we would not be faced with the situation where we are now permitting interpretation of vaguely written legislative language in the Department. That is exactly what we have done and the chickens are coming home to roost.

Mr. SEIBERLING. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, this bill means a very great deal to the workers in the tire industry, which happens to be one of the largest industries in this country. To gut the appropriations, which are too small to begin with, for the administration of this law is going to mean that the necessary protection for the workers in that and other major industries is crippled.

We have been moving ahead too slowly in implementing the Occupational Safety and Health Act. We should be moving ahead much faster, not only in funding the Occupational Safety and

Health Administration but also in funding the National Institute for Occupational Safety and Health. On the latter, we should be doubling or even tripling the proposed appropriation.

I recognize that there are adjustments that need to be made in the act or at least the administration of the act, and the gentleman from New Jersey has indicated that his subcommittee is going to review this. But to gut the funds to administer the act in the many industries of his country where this act has been desperately needed for years would be a miscarriage.

I hope this House will not take that kind of drastic action. To do so would frustrate the important purpose for which the act was enacted less than 2 years ago.

The purpose of the Occupational Safety and Health Act, as stated in its preamble, is to assure "so far as possible every working man and woman in the Nation safe and healthful working conditions."

In signing the bill into public law, President Nixon called it perhaps the most important legislation passed by the 91st Congress.

Last year, the Congress passed a total appropriation of \$61 million for this act—\$36 million for the Occupational Health and Safety Administration in the Department of Labor, and \$25 million for the National Institute for Occupational Safety and Health in the Department of Health, Education, and Welfare.

During consideration of the bill on the floor, the distinguished chairman of the Labor-HEW Appropriations subcommittee, Mr. FLOON, assured me that that sum—which was actually slightly less in the House—was "adequate for the time being, but that it will surely be increased in the future."

Last year when we were considering this appropriation, in late July, the occupational health and safety program was just getting off the ground. This was the justification used for appropriating such a very small sum at that time.

Now this program has been in operation for a full year. This is the second appropriation to come before the Congress. The administration requested, and the Appropriations Committee has recommended, a total appropriation of \$95 million, \$67 million will go to OSHA and \$28 million to NIOSH.

Although the 1973 request represents a one-third increase over the 1972 appropriation, it appears, from all the evidence available to me, that the 1973 appropriation is woefully inadequate. We simply cannot come anywhere near meeting the goal established in the preamble of this act with the kind of barebones appropriation before us today.

If President Nixon truly feels that this is one of the historic acts of the 91st Congress, he has not translated that feeling into his budget requests for the program.

In testimony before the Labor-HEW appropriation subcommittee last month, George Taylor, an economist with the AFL-CIO, made an interesting compari-

son between the level of funding in the Department of the Interior for health and safety activities and the level of funding in the Department of Labor for such activities.

In fiscal 1972, the U.S. Bureau of Mines, which administers the Coal Mine Health and Safety Act, budgeted \$309.54 in enforcement dollars per covered worker while the Department of Labor allotted a mere 41 cents per covered worker for its corresponding activities under the Occupational Safety and Health Act.

I am not arguing against full funding for the Coal Mine Health and Safety Act, Mr. Chairman. On the contrary, I support a far more intensive effort to rid that occupation of the hazards and high death and accident rate which now plague it.

But I would point out that the 57 million workers who rely on the Department of Labor to assure them a healthy and safe working environment deserve a comparable commitment of Federal dollars.

Let me briefly describe what this meager appropriation will mean in terms of performance ability over the next year:

As of February, 1972, 20,700 workplaces had been inspected under the provisions of the act, and only 23 percent were found to meet the guidelines set under the law. In other words, 77 percent of all the workplaces checked were in violation of the law.

This statistic is startling for two reasons:

First, there are 4.1 million workplaces in the United States and only about 400 compliance officers at OSHA. At the rate inspections are being carried out now, it will take 20 to 30 years just to complete the first round. One expert estimates that by April, 1973, when the act is 2 years old, only 1.4 percent of the workplaces covered by the act will have been inspected.

Second, it is important to understand that most of the violations that were cited were for the most routine and obvious kinds of safety violations such as slippery floors and unguarded machines. The compliance officers have had very little training in industrial hygiene, and usually are not equipped to do even routine health tests such as measurement of noise.

This is quite a violations record for this small group of overworked, undertrained inspectors, and the mind boggles to think what a full complement of trained experts would turn up in the way of additional safety and health violations. But that is not likely to happen under this appropriation.

At present, as I indicated, there are approximately 400 compliance officers, and only a handful of industrial hygienists. Under this bill, the Department of Labor has plans for 800 compliance officers and 40 to 50 industrial hygienists by the end of 1973.

But I understand that officials of the Department of Health, Education, and Welfare testified during congressional hearings that we need a ratio of one industrial hygienist to every 35,000 workers—which means a total of 8,000 industrial hygienists.

Obviously, we cannot even begin to scratch the surface of the health and safety problems facing American workers without a substantial increase in enforcement personnel.

Enforcement and compliance are just one facet of this program, however.

The real backbone of the Occupational Safety and Health Act is the work performed by the National Institute for Occupational Safety and Health in the Department of Health, Education, and Welfare.

Under the act, NIOSH is responsible for doing all the research from which the standards are developed, and training for standards implementation.

For 1973, the proposed budget for NIOSH is \$28 million. This represents an increase of only \$3 billion over last year—when most regional offices were not staffed—and it comes no where near the figure needed to launch an effective research and training program.

For example, there are 12,000 potentially harmful toxic substances used in the American workplace, and we have standards for only a handful. Under this budget, the Secretary of Labor has indicated that by the end of the year we will have only nine or 10 more standards.

In fiscal 1972, 20 research proposals recommended by the NIOSH Research Advisory Committee for funding were turned down because of lack of funds.

According to the Government's own estimates, 3,000 doctors are needed immediately to provide medical services generated by the act. But only a few dozen doctors are being trained as specialists in occupational medicine.

The responsibility placed on NIOSH by the Occupational Safety and Health Act is enormous. Unless NIOSH is adequately funded, the entire effort will be rendered ineffective, and the \$28 million appropriation before us today certainly cannot be termed adequate.

One often hears the complaint that strict and aggressive enforcement of this law will be very costly. I recognize that, and I think the majority of the Members of Congress who voted in favor of this act recognized that.

The evidence presented to the Congress at that time indicated that on-the-job deaths, injuries, work-related diseases et cetera represented one of the most serious health problems in the Nation.

By passing this act, Congress pledged to attack that problem to make the American workplace a safe and healthy environment, and by so doing, pledged to make available whatever funds were necessary to do the job.

Yet this administration has pledged only five one-hundredths of 1 percent of its total 1973 budget to help wage this war. With continued funding at this level, the Occupational Safety and Health Act will surely die a slow death.

Mr. Chairman, the AFL-CIO presented an alternative budget for administration of the Occupational Safety and Health Act when they testified before the Labor-HEW Appropriation Subcommittee, and I insert a copy of that budget in the RECORD at this point:

TABLE 1.—SUMMARY: SUPPORTING DATA FOR AFL-CIO PROPOSAL—FISCAL YEAR 1973, FOR ADMINISTRATION OF PUBLIC LAW 91-596

[Dollars in thousands]

Agency	President's budget	AFL-CIO proposal	Increase over President's budget	
			Amount	Percent
Occupational Safety and Health Administration	\$67,500	\$102,446	\$34,946	51.0
National Institute for Occupational Safety and Health	22,117	60,000	37,883	171.3
Occupational Safety and Health Review Commission	1,280	3,800	2,520	196.9
Total	90,897	166,246	75,349	82.6

\$6,200,000 deleted from NIOSH budget, as this amount is earmarked for research by NIOSH under the Federal Coal Mine Safety Act.

TABLE 2.—OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION, U.S. DEPARTMENT OF LABOR

[In thousands of dollars]

Program item	President's budget	AFL-CIO proposal	Increase over President's budget	
			Amount	Percent
Standards	\$2,800	\$6,000	\$3,200	
Enforcement	23,285	70,400	47,115	
Training	6,500	3,294	3,206	
State programs	29,975	10,000	-19,975	
Statistics	4,600	6,000	1,400	
Management	3,546	3,546		
Total	67,500	102,446	34,946	

Reprogram \$19,975 from State programs to enforcement.

The AFL-CIO proposal would provide for an increase of compliance officers from the present total of 407 to 2,500, and for 70 more industrial hygienists, bringing the total for that type position to 115, as compared to the present level of 40. The cost per each such position is about \$17,000 annually and would include provision for backup personnel.

The most important priority of OSHA is enforcement of occupational safety and health standards. We have therefore recommended the reprogramming of \$19,975,000 from the \$29,975,000 allocated to State grants for enforcement.

There is no indication that satisfactory State plans will be submitted by more than a few States between July 1, 1972, and June 30, 1973. Our conclusion is based on data and reports we have received from 25 State bodies, and on the fact that 18 State legislatures were not in session this year.

We do not anticipate the need for more than the \$10 million for program grants which we have suggested for allocation to States with approved plans under section 18(b) of the act.

The AFL-CIO policy is to oppose any State plan which does not contain the full range of worker protections found in the Federal act; does not have equivalent penalties for violations; does not have adequate budget and staff under civil service, and does have adequate enabling legislation. It can therefore be anticipated that we will be requesting and obtaining administrative hearing on any plans failing to meet these conditions, which will further delay their approval until they have been revised.

The sharp recommended increase in compliance personnel by the proposed AFL-CIO proposal cannot be realized unless training resources are at the same time equivalently increased. This means that the President's budget recommendation for training be dou-

bled. Actually or potentially eligible manpower for compliance positions is not in short supply. Our own unions are a huge potential resource. Some 200 union members with backgrounds in job safety, have submitted applications for OSHA compliance positions.

Job specifications must be changed, however, to allow substitution of competent practical experience in safety for college education, before our union members in any numbers can be qualified under civil service, also present restrictive Labor Department policies on their hiring. Unfortunately, nearly all union applicants who were fully qualified under present specifications have been passed over for positions under hiring policies of the Department of Labor.

TABLE 3.—NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH

[Amount in thousands]

Program item	President's budget	AFL-CIO proposal	Increase over President's budget	
			Amount	Percent
Research and training grants	\$4,414	\$10,000	\$5,586	
Standards	14,193	40,000	25,807	
Technical assistance	3,510	10,000	6,490	
Total	22,117	60,000	37,883	

(A) Research and training

The increase of \$56 million over the President's proposal is needed to provide expansion into new and existing but unsolved occupational health problems. Such research is badly needed to expand knowledge about effects of large numbers of toxic materials used in industrial processes. There are an estimated 12,000 of these at present and 600 new ones are added each year. The additional funding we propose would be for extramural grants to institutions with resources in fields beyond the capacity of the research program of NIOSH itself.

(B) Standards

The AFL-CIO-recommended increase of \$25.8 million is to enable NIOSH to speed up drastically its production of criteria and standards on toxic materials. Under the President's budget, funds are available for criteria and recommended standards on only 12 toxic substances. . . .

Mr. FISHER. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, I did not hear all the debate on this subject but I am quite aware, as I am sure most of the Members are, of the widespread concern that is being expressed throughout the country regarding the manner in which the Occupational Safety and Health Act is being implemented and enforced.

I was pleased to learn a moment ago from the gentleman from the Education and Labor Committee that some oversight hearings are planned. I understand the same is true in the other body. I wonder if I could ask the gentleman from New Jersey to announce when he plans to hold hearings of that kind. We need legislative action more than oversight action.

Mr. DANIELS of New Jersey. Mr. Chairman, if the gentleman will yield, I would point out the Democratic National Convention will take place in a couple of weeks and the Republican National Convention shortly after that, and I will

endeavor to hold these hearings in September or shortly thereafter.

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

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

Mr. GERALD R. FORD. Mr. Chairman, it is a little amusing, to be frank, that we expect that committee, which sent to the floor a committee bill which was far tougher than the bill that passed the Congress in this area, to correct the situation. I have no faith that that committee is going to do anything to moderate this legislation. The majority on that committee tried to ram down the throat of the House a far tougher bill, and now to expect that committee to do anything in a remedial way is ridiculous.

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

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

Mr. SIKES. Mr. Chairman, I share the concern which has been expressed by my distinguished friend from Texas, by the distinguished minority leader, the gentleman from Michigan, and others, about this matter. I recall very well what has happened heretofore on this subject. The House passed a good health and accident safety bill. The Senate passed a bad bill, and our conferees accepted in large measure the Senate bill. The result is we have a bill whose administration now is a monstrosity in the eyes of a great many of the people who are being subjected to rules they can hardly live with and continue to operate.

Let us face it. We are not going to get a bill in this Congress to give relief to our constituents. If we are going to get any relief for them, we had better get it here and now. I am going to vote for the amendment. I say this regretfully because I have the greatest respect for the chairman and members of the subcommittee which brought the appropriations bill to the floor. But I must vote to provide a measure of relief for the people I represent. I trust that a majority of us in the House have the same attitude.

Mr. FISHER. Mr. Chairman, I share the view expressed by the gentleman from Florida. I think those who have followed this thing in recent months must recognize that it is absolutely imperative that this law be changed in a number of respects. Pending that, I would think it appropriate to proceed cautiously in terms of additional expenditures. So I, too, support the pending amendment.

Mr. WILLIAM D. FORD. Mr. Chairman, I move to strike the last word.

I was amused by the statement of my colleague from Michigan, the distinguished minority leader. The record will show that the committee to whom he refers brought a bill to the floor that was then changed very dramatically. One way in which it was changed, at his instance and with his earnest support, was to take the restraints we tried to place around the Secretary of Labor off of him and turn him loose to run around doing the kinds of things described on the floor.

I submit to the gentleman from Michigan, there is nothing wrong with this

law that cannot be cured by the November election this year. What we need is a new set of bureaucrats who know what is in the law and how to administer it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. DENNIS).

The question was taken; and on a division (demanded by Mr. DENNIS) there were—ayes 47, noes 55.

TELLER VOTE WITH CLERKS

Mr. DENNIS. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. DENNIS. Mr. Chairman, I demand tellers with clerks.

Tellers with clerks were ordered; and the Chairman appointed as tellers Messrs. DENNIS, CONTE, FLOOD, and McCURE.

The Committee divided, and the tellers reported that there were—ayes 160, noes 206, not voting 67, as follows:

[Roll No. 203]

[Recorded Teller Vote]

AYES—160

Abbutt	Forsythe	Pirnie
Alexander	Fountain	Poff
Andrews, Ala.	Frey	Powell
Andrews,	Gallianakis	Price, Tex.
N. Dak.	Gettys	Quile
Archer	Glaimo	Quillen
Arends	Goldwater	Rarick
Ashbrook	Goodling	Rhodes
Baker	Griffin	Roberts
Bennett	Gross	Robinson, Va.
Betts	Grover	Rogers
Blackburn	Gubser	Roncalio
Bray	Haley	Ruth
Brinkley	Hammer-	Sandman
Brotzman	schmidt	Satterfield
Brown, Ohio	Harvey	Saylor
Broyhill, N.C.	Hastings	Scherle
Broyhill, Va.	Heckler, Mass.	Schmitt
Burke, Fla.	Heinz	Scott
Burleson, Tex.	Henderson	Sebellus
Byrnes, Wis.	Horton	Shoup
Byron	Hunt	Shriver
Cabell	Hutchinson	Sikes
Camp	Ichord	Skubitz
Carlson	Johnson, Pa.	Smith, Calif.
Carter	Jonas	Smith, N.Y.
Cederberg	Jones, N.C.	Snyder
Chamberlain	Jones, Tenn.	Spence
Chappell	King	Stanton
Clancy	Kuykendall	J. William
Clawson, Del.	Kyl	Steiger, Ariz.
Collier	Landgrebe	Stratton
Collins, Tex.	Latta	Stubblefield
Colmer	Lloyd	Stuckey
Conable	Lujan	Taylor
Conover	McClure	Terry
Coughlin	McCollister	Thompson, Ga.
Crane	McCulloch	Thomson, Wis.
Daniel, Va.	McKevitt	Thone
Davis, S.C.	Mallory	Vander Jagt
Davis, Wis.	Mann	Veysey
Denholm	Martin	Waggoner
Dennis	Mathias, Calif.	Wampler
Derwinski	Mathis, Ga.	Whalley
Devine	Mayne	Whitehurst
Dorn	Miller, Ohio	Whitten
Downing	Mills, Md.	Wiggins
Duncan	Mizell	Williams
du Pont	Myers	Wilson, Bob
Edwards, Ala.	Nelsen	Winn
Erlenborn	O'Konski	Wylie
Findley	Passman	Wyman
Fisher	Pelly	Zion
Flynt	Pettis	
Ford, Gerald R.	Pickle	

NOES—206

Abzug	Aspin	Bolling
Adams	Aspinall	Brademas
Addabbo	Badillo	Brasco
Albert	Barrett	Brooks
Anderson,	Begich	Brown, Mich.
Calif.	Bergland	Buchanan
Anderson, Ill.	Bevill	Burke, Mass.
Anderson,	Biaggi	Burlison, Mo.
Tenn.	Blester	Burton
Annunzio	Boggs	Byrne, Pa.
Ashley	Boland	Caffery

Carney	Hechler, W. Va.	Podell
Casey, Tex.	Helstoski	Preyer, N.C.
Chisholm	Hicks, Mass.	Price, Ill.
Clark	Hicks, Wash.	Pucinski
Clausen,	Hillis	Railsback
Don H.	Hogan	Randall
Clay	Hollifield	Rangel
Cleveland	Howard	Rees
Collins, Ill.	Hull	Reid
Conte	Hungate	Reuss
Conyers	Jacobs	Riegle
Corman	Jarman	Robison, N.Y.
Cotter	Johnson, Calif.	Rodino
Culver	Jones, Ala.	Roe
Daniels, N.J.	Karth	Rosenthal
Danielson	Kastenmeier	Rostenkowski
Davis, Ga.	Keating	Roush
de la Garza	Keith	Roy
Delaney	Kemp	Roybal
Dellenback	Kluczynski	Runnels
Dellums	Koch	Ruppe
Dent	Leggett	Ryan
Diggs	Lennon	St Germain
Donohue	Lent	Sarbanes
Dow	Long, Md.	Scheuer
Drinan	McClary	Schwengel
Dulski	McCormack	Seiberling
Eckhardt	McDade	Shipley
Edwards, Calif.	McFall	Sisk
Ellberg	McKinney	Slack
Esch	Maddonald,	Smith, Iowa
Evans, Colo.	Mass.	Stanton,
Evins, Tenn.	Madden	James V.
Fascell	Mahon	Udall
Fish	Matsunaga	Van Deerlin
Flood	Mazzoli	Vanik
Flowers	Meeds	Vigorito
Foley	Melcher	Waldie
Ford,	Michel	Whalen
William D.	Mikva	White
Frenzel	Miller, Calif.	Widnall
Fulton	Minish	Wilson,
Garmatz	Mink	Charles H.
Gaydos	Minshall	Wolf
Gibbons	Mitchell	Wright
Gonzalez	Monagan	Wyatt
Grasso	Moorhead	Wyder
Gray	Morgan	Yates
Green, Oreg.	Moss	Yatron
Green, Pa.	Murphy, Ill.	Young, Fla.
Gude	Natcher	Young, Tex.
Hamilton	Nedzi	Zablocki
Hanley	Nix	Zwack
Hanna	O'Bye	
Hansen, Idaho	O'Hara	
Hansen, Wash.	O'Neill	
Harrington	Patten	
Hathaway	Pepper	
Hawkins	Peyser	
Hays	Pike	

NOT VOTING—67

Abernethy	Griffiths	Montgomery
Abourezk	Hagan	Mosher
Baring	Hall	Murphy, N.Y.
Belcher	Halpern	Nichols
Bell	Harsha	Patman
Bingham	Hebert	Perkins
Blanton	Hosmer	Poage
Blatnik	Kazen	Pryor, Ark.
Bow	Kee	Rooney, N.Y.
Broomfield	Kyros	Rooney, Pa.
Carey, N.Y.	Landrum	Rousset
Celler	Link	Schneebeli
Curlin	Long, La.	Springer
Dickinson	McCloskey	Staggers
Dingell	McDonald,	Steiger, Wis.
Dowdy	Mich.	Stevens
Dwyer	McEwen	Sullivan
Edmondson	McKay	Talcott
Eshleman	McMillan	Teague, Tex.
Fraser	Mailliard	Thompson, N.J.
Frelinghuysen	Metcalfe	Ullman
Fuqua	Mills, Ark.	Ware
Gallagher	Mollohan	

So the amendment was rejected.

AMENDMENT OFFERED BY MR. FINDLEY

Mr. FINDLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FINDLEY: On page 6, after line 25, add the following—
 "None of the funds appropriated by this Act shall be expended to pay the salaries of any employees of the Federal Government who inspect firms employing twenty-five persons or less for compliance with the Occupational Safety and Health Act of 1970."

Mr. FINDLEY. Mr. Chairman, this amendment is similar, in fact it goes right to the heart of the question raised by the amendment offered by the gentleman from Indiana (Mr. DENNIS). I am going to ask for recorded tellers, and I hope and expect we will have enough Members stand to effect that order. That is why I think you would want to listen to the amendment. I will read it again for that reason:

On page 6, after line 25, add the following—None of the funds appropriated by this Act shall be expended to pay the salaries of any employees of the federal government who inspect firms employing 25 persons or less for compliance with the Occupational Safety and Health Act of 1970.

If my amendment becomes law, it will give the small business firms of the Nation a year's moratorium from our form of Federal harassment. It will enable Mr. DANIELS' committee and any other committee that might like to have any further hearings to decide just what type of Federal safety and health regulations should be proposed for small business firms. It would relieve the small businessman of the harassment that has been so visible to all of us, resulting in many complaints from every district in the country.

I have no need to prolong this discussion—

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

Mr. FINDLEY. I am glad to yield to the gentleman from Ohio.

Mr. LATTA. I wish to commend the gentleman from Illinois for offering the amendment, which I support wholeheartedly and wish to be associated with his remarks.

Mr. FINDLEY. I thank the gentleman.

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

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

Mr. FISHER. I rise in support of the gentleman's amendment. I think it is very fair, very reasonable, and very timely. There are at present situations that are impossible. It is simply unfair to apply the same standards, the same regulations and the same controls to a small business, where they are much better able to police their own problems, than we would apply to the big companies scattered throughout the land. I think it is an appropriate amendment.

Mr. FINDLEY. I will say to the gentleman that the amendment might be described as the amendment on toilet seats, because the OSHA inspectors have gone to the ridiculous point of specifying the style of toilet seats that shall be used in restrooms of small business firms.

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

Mr. FINDLEY. I yield to the gentleman from Iowa.

Mr. MAYNE. I join the gentleman from Illinois in support of his amendment. We should attempt to restore some element of common sense to the administration of the act as it relates to the small businessmen of the country. I support the gentleman's amendment and commend him for offering it.

Mr. Chairman, firms employing 25 persons or less do not require the same rigorous inspection for compliance with the Occupational Safety and Health Act of 1970 as the larger firms. I believe the Findley amendment makes good sense and is very necessary. Many of my constituents, both owners and employees of small firms and farms alike, have written my office requesting that they be relieved of the very unreasonable and burdensome regulations imposed on them under the Occupational Safety and Health Act of 1970.

As is so often the case, legislation designed to correct problems prevalent in big business operations has created unreasonable and unnecessary hardships when applied indiscriminately to smaller firms and farms. This has been like trying to shoot a mouse with an elephant gun.

I am deeply concerned about the continuing serious losses, both human and financial, which are occurring due to occupational related accidents, and am for any reasonable steps necessary to protect both agricultural and industrial labor. However, I would like to point to the excellent safety records which have been compiled by small business entities during the years before OSHA was in existence. It was through the application of down-to-earth commonsense, not the unreasonable OSHA regulations, that these small businesses were able to operate safely and economically.

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

Mr. FINDLEY. I yield to the gentleman from Indiana.

Mr. DENNIS. I think the gentleman in the well has an excellent amendment. It will not gut the appropriation at all. You can put the money on the big fellows, which is where it ought to go, and it will largely accomplish the objective of giving relief to the small man.

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

Mr. FINDLEY. I yield to the gentleman from North Carolina.

Mr. MIZELL. I thank the gentleman for yielding. I support the gentleman in his amendment.

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

Mr. FINDLEY. I yield to the gentleman from Kansas.

Mr. SEBELIUS. I, too, support the amendment offered by the gentleman from Illinois. I would direct his attention to one item. I had the administrator of OSHA in my office, and they are leaving the toilets alone and going on to bigger things. Now, another thing that is still a big problem is the situation of the farmer exchanging work with his neighbor which is covered by the act according to the Department of Labor. Your amendment would cover it, and I am for it.

Mr. FINDLEY. I thank the gentleman for this progress report.

Mr. FLOOD. Mr. Chairman, I rise in opposition to the amendment. I have been here a long time and I have heard amendments, and amendments, and amendments to amendments, but this is

the first time I have seen an amendment that would almost give a license to kill. We are saying, in the amendment, to an employer of under 25 employees, "You don't have to worry about health hazards. Don't worry about injuries. Don't worry about hazards that may result in fatal accidents. We are giving carte blanche to him. It is a change in the law, as a matter of fact, and perhaps I should have raised a point of order, but I am advised it would likely have been overruled since the amendment is in the form of a limitation.

This is a can-of-worms bill, but let us not get too silly this early in the day.

Mr. DANIELS of New Jersey. Mr. Chairman, I rise in opposition to the amendment.

I would like to point out that statistics will show that the overwhelming number of accidents occur in small plants. I am sure that everyone who is aware of the manner in which big business is conducted knows that they have health and safety crews operating to protect the health and safety of its employees. Big business cannot afford to have many accidents. They cannot afford to lose the services of a talented, experienced individual. The major number of accidents that do occur, occur in small plants.

Second, I rise in opposition to the amendment because this is not the way to legislate. This type of amendment should not be offered to this bill on the floor without giving our committee an opportunity to consider the amendment. Therefore, I rise in opposition to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. FINDLEY).

The question was taken; and the Chairman being in doubt, the Committee divided, and there were—ayes 105, noes 68.

TELLER VOTE WITH CLERKS

Mr. FLOOD. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. FLOOD. Mr. Chairman, I demand tellers with clerks.

Tellers with clerks were ordered; and the Chairman appointed as tellers Messrs. FINDLEY, DANIELS of New Jersey, FLOOD, and McCLURE.

The Committee divided, and the tellers reported that there were—ayes 213, noes 154, not voting 66, as follows:

[Roll No. 204]

[Recorded Teller Vote]

AYES—213

Abbitt	Brooks	Clark
Alexander	Brown, Mich.	Clausen.
Anderson,	Brown, Ohio	Don H.
Tenn.	Broyhill, N.C.	Clawson, Del
Andrews, Ala.	Broyhill, Va.	Cleveland
Andrews,	Buchanan	Collier
N. Dak.	Burke, Fla.	Collins, Tex.
Archer	Burleson, Tex.	Colmer
Arends	Byrnes, Wis.	Conover
Ashbrook	Byron	Coughlin
Aspinall	Cabell	Crane
Baker	Caffery	Culver
Baring	Camp	Daniel, Va.
Belcher	Carlson	Davis, Ga.
Bennett	Carter	Davis, S.C.
Betts	Casey, Tex.	Davis, Wis.
Blackburn	Cederberg	de la Garza
Bow	Chamberlain	Denholm
Bray	Chappell	Dennis
Brinkley	Clancy	Derwinski

Devine	Kyl	Runnels
Dickinson	Landgrebe	Ruppe
Dorn	Latta	Ruth
Downing	Leggett	Sandman
Duncan	Lennon	Satterfield
Edwards, Ala.	Lent	Saylor
Findley	Lloyd	Scherle
Fisher	Lujan	Schmitz
Flowers	McClure	Schneebell
Flynt	McClure	Schwengel
Ford, Gerald R.	McCollister	Scott
Forsythe	McCulloch	Sebellius
Fountain	McKevitt	Shipley
Frelinghuysen	McKinney	Shoup
Frenzel	Mahon	Shriver
Frey	Mallary	Sikes
Gallafanakis	Mann	Skubitz
Gettys	Martin	Slack
Gialmo	Mathias, Calif.	Smith, Calif.
Goldwater	Mathias, Ga.	Smith, N.Y.
Goodling	Mayne	Snyder
Green, Oreg.	Melcher	Spence
Griffin	Miller, Ohio	Staggers
Gross	Mills, Md.	Stanton
Grover	Minshall	J. William
Gubser	Mizell	Stratton
Haley	Mollohan	Stubblefield
Hamilton	Myers	Stuckey
Hammer-	Nelsen	Taylor
schmidt	O'Konski	Teague, Tex.
Harsha	Passman	Terry
Harvey	Pettis	Thompson, Ga.
Hastings	Pickle	Thomson, Wis.
Heckler, Mass.	Pike	Thone
Heinz	Pirnie	Vander Jagt
Henderson	Poff	Veysey
Hicks, Wash.	Powell	Waggonner
Hogan	Preyer, N.C.	Wampler
Horton	Price, Tex.	Whalley
Hungate	Purcell	White
Hunt	Quile	Whitehurst
Hutchinson	Quillen	Whitten
Ichord	Randall	Widnall
Jarman	Rarick	Williams
Johnson, Pa.	Rees	Wilson, Bob
Jonas	Rhodes	Winn
Jones, N.C.	Roberts	Wright
Jones, Tenn.	Robinson, Va.	Wylie
Kazen	Robison, N.Y.	Wyman
Keith	Rogers	Young, Fla.
Kemp	Roncalio	Young, Tex.
King	Roush	Zion
Kuykendall	Roy	

NOES—154

Abzug	Esch	Mikva
Adams	Evans, Colo.	Miller, Calif.
Addabbo	Evins, Tenn.	Minish
Albert	Fascell	Mink
Anderson,	Fish	Mitchell
Calif.	Flood	Monagan
Anderson, Ill.	Foley	Moorhead
Annunzio	Ford	Morgan
Ashley	William D.	Moss
Aspin	Fraser	Natcher
Badillo	Fulton	Nedzi
Barrett	Garmatz	Nix
Begich	Gaydos	O'Obey
Bergland	Gibbons	O'Hara
Bevill	Gonzalez	O'Neill
Blaggi	Grasso	Patten
Blester	Green, Pa.	Pelly
Blatnik	Gude	Peyster
Boggs	Hanley	Podell
Boland	Hanna	Price, Ill.
Bolling	Hansen, Idaho	Pucinski
Brademas	Hansen, Wash.	Rallsback
Brasco	Harrington	Rangel
Burke, Mass.	Hathaway	Reid
Burlison, Mo.	Hawkins	Reuss
Burton	Hays	Riegle
Byrne, Pa.	Hechler, W. Va.	Rodino
Carney	Helstoski	Roe
Chisholm	Hicks, Mass.	Rosenthal
Clay	Hollifield	Rostenkowski
Collins, Ill.	Howard	Roybal
Conte	Hull	Ryan
Conyers	Jacobs	St Germain
Corman	Johnson, Calif.	Sarbanes
Cotter	Jones, Ala.	Scheuer
Daniels, N.J.	Karth	Seiberling
Danielson	Kastenmeier	Sisk
Delaney	Keating	Smith, Iowa
Dellums	Kluczynski	Stanton
Dent	Koch	James V.
Diggs	Long, Md.	Steed
Donohue	McCormack	Steele
Dow	McDade	Stokes
Drinan	McFall	Symington
Dulski	Madden	Teague, Calif.
du Pont	Matsunaga	Tierman
Eckhardt	Mazzoli	Udall
Edwards, Calif.	Meeds	Van Deerlin
Eilberg	Michel	Vanik

Vigorito
Whalen
Wilson,
Charles H.

Wolff
Wyatt
Wydler
Yates

Yatron
Zablocki
Zwack

NOT VOTING—66

Abernethy
Abouezek
Bell
Bingham
Blanton
Broomfield
Brotzman
Carey, N.Y.
Celler
Conable
Curlin
Dellenback
Dingell
Dowdy
Dwyer
Edmondson
Erlenborn
Eshleman
Fuqua
Gallagher
Gray
Griffiths
Hagan

Hall
Halpern
Hébert
Hillis
Hosmer
Kee
Kyros
Landrum
Link
Long, La.
McCloskey
McDonald,
Mich.
McEwen
McKay
McMillan
Macdonald,
Mass.
Mailliard
Metcalfe
Mills, Ark.
Montgomery
Mosher

Murphy, Ill.
Murphy, N.Y.
Nichols
Patman
Pepper
Perkins
Poage
Fryor, Ark.
Rooney, N.Y.
Rooney, Pa.
Roussetot
Springer
Steiger, Ariz.
Steiger, Wis.
Stephens
Sullivan
Talcott
Thompson, N.J.
Ullman
Waldie
Ware
Wiggins

So the amendment was agreed to.

The Clerk read as follows:

OFFICE OF EDUCATION

ELEMENTARY AND SECONDARY EDUCATION

For carrying out, to the extent not otherwise provided, title I (\$1,597,500,000), title III (\$146,393,000), and title V, Parts A and C (\$43,000,000), of the Elementary and Secondary Education Act, \$1,786,893,000: *Provided*, That grants to States on behalf of local education agencies under said title I-A shall not be less than grants made to such agencies in the fiscal year 1972.

The CHAIRMAN. For what purpose does the gentleman from Michigan (Mr. O'HARA) rise?

POINT OF ORDER

Mr. O'HARA. Mr. Chairman, I make a point of order to the proviso beginning on line 10, page 19, and extending through line 13, page 19.

The CHAIRMAN. That is as to the language beginning on line 10, with the word "Provided,"?

Mr. O'HARA. That is right, Mr. Chairman, and continuing on through line 13 on page 19.

Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The gentleman is recognized.

Mr. O'HARA. Mr. Chairman, I make the point of order that the proviso constitutes legislation on an appropriation bill and, therefore, ought to be stricken.

I call the attention of the Chair to the ruling made by the Chair on a very similar point which is found in the CONGRESSIONAL RECORD, vol. 116, part 3, page 4019.

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

Mr. FLOOD. Mr. Chairman, the same point of order was raised last year, and we concede the point of order.

The CHAIRMAN (Mr. HOLIFIELD). The gentleman from Pennsylvania concedes the point of order.

The point of order is sustained.

AMENDMENT OFFERED BY MR. FLOOD

Mr. FLOOD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Flood: On page 19, line 10, after the dollar amount, insert the following:

"*Provided*, That none of the funds contained herein for carrying out title I of said Act shall be used to make grants to any State under that title in excess of the total grants made to such State from appropriations under said title for fiscal year 1972"

POINT OF ORDER RESERVED

The CHAIRMAN. For what purpose does the gentleman from Michigan (Mr. O'HARA) rise?

Mr. O'HARA. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Michigan reserves a point of order against the amendment.

Mr. FLOOD. Mr. Chairman, the purpose of this amendment is to replace the section which has just been deleted from the bill, but in the from of a limitation which, of course, is not subject to a point of order.

Mr. Chairman, if the amendment is adopted, it will assure that each State receives the same amount under title I of the program for the fiscal year 1973 as it did for the fiscal year 1972. And it will prevent reductions in some State allotments which would otherwise occur. So, Mr. Chairman, I urge adoption of the amendment.

POINT OF ORDER

The CHAIRMAN. Does the gentleman desire to press his point of order?

Mr. O'HARA. Mr. Chairman, I will continue to press a point of order, although I concede that the amendment takes a somewhat different form. It is merely, as explained by the gentleman from Pennsylvania, a different way of accomplishing exactly the same thing. I would, therefore, make the point that if the language which was stricken constitutes legislation on an appropriation bill, then the amendment offered by the gentleman from Pennsylvania, which he says accomplishes the same thing, is likewise legislation upon an appropriation.

Mr. FLOOD. Mr. Chairman, I would like to be heard on the point of order.

The CHAIRMAN. The gentleman may be heard.

Mr. FLOOD. The language of the amendment is very clearly only a limitation on the use of funds in the traditional manner. It is completely a negative thing. But of importance, it does not impose any additional duties on anyone in the Department of Health, Education, and Welfare, for right now they must now determine the total amount granted to each State in order to comply with the allocation formula in the Elementary and Secondary Education Act. Most certainly, Mr. Chairman, it does not violate the rules of the House.

PARLIAMENTARY INQUIRY

Mr. EVANS of Colorado. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. EVANS of Colorado. In the event the Chair were to overrule the point of order, and in the event the amendment offered by the gentleman from Pennsylvania were to be agreed to, would it thereafter be in order to offer an amendment to title I of ESEA, the point at which we are now in the bill, increasing appropriations for that purpose?

The CHAIRMAN (Mr. HOLIFIELD). If the amendment were agreed to, the Chair would inform the gentleman from Colorado that further amendments to the paragraph would still be in order.

The Chair is ready to rule.

The gentleman from Michigan (Mr. O'HARA), has raised a point of order against the amendment offered by the gentleman from Pennsylvania (Mr. Flood) alleging that it is legislation upon an appropriation bill.

The Chair would like to point out that the language which was just ruled out on a point of order by the gentleman from Michigan provided that "grants to States * * * shall not be less than grants made to such agencies in the fiscal year 1972."

The language set a minimum amount for grants and was in the nature of affirmative directions to the Office of Education.

The present amendment, on the other hand, is limited to the use of the funds in this bill. It is prefaced with the phrase "That none of the funds contained herein."

Furthermore, it places a maximum amount on the amount of grants. It is a negative restriction on the use of funds in the bill and proposes that the grants be measured by an ascertainable standard—that is, the amount of the grants in fiscal 1972.

The Chair holds that the amendment is a proper limitation and overrules the point of order.

Mr. O'HARA. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, as the situation now stands, the formula provided for title I, title III, and title V of the Elementary and Secondary Education Act will be as it is in the authorizing legislation, unless the gentleman from Pennsylvania succeeds by his amendment in changing that formula.

The way title I, the biggest title, works now, Mr. Chairman, each State receives one-half of the cost of education in that State or one-half of the national average cost of education, whichever is higher, times the number of educationally disadvantaged children residing within the State. Naturally, those figures change. Some States increase their appropriations for education, and when they increase their State effort, they are entitled to more Federal money. Other States may decrease their local effort, and when they do, they are entitled to less Federal money. Some States may have more children who, because of bad economic conditions in the State, would qualify as educationally disadvantaged.

The formula in the legislative act takes all that into account and each year we must recompute the State's entitlement. What the gentleman from Pennsylvania is proposing to do is to say, "Forget all that. Do not recompute their entitlement. Do not take into account whether the State has been increasing its own expenditures or not. Do not take into account whether there are more or less children who would be entitled to assistance under this bill. Go ahead and give them what they got last year, whether or

not that makes sense, or whether or not it is fair."

What is the effect of this amendment? I have not the time to recite it, but it costs a number of States who have increased their expenditures on education a considerable amount of money. It costs the State of Georgia for instance \$2,712,000. It costs the State of Illinois \$5,724,000, and so on.

I would hope Mr. Chairman, that we will stick by the formula in the bill. It does not make a bit of difference in terms of how much total money we are going to spend. It makes a difference only in terms of equity.

I hope the amendment will be defeated.

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

Mr. Chairman, I associate myself with the comments of the gentleman from Michigan. I think he has explained why this should be defeated better than I could. Also his explanation tells us why this House should support the package amendment which is going to be offered to several sections on the educational part of this bill.

But while I have the floor, so I may be perfectly clear with regard to the parliamentary situation we are in, may I ask this question for my own understanding of our situation? In the event the amendment of the distinguished gentleman from Pennsylvania (Mr. Flood) passes, thereby limiting the expenditures under title I to that which was spent the last fiscal year, thereafter, after the adoption of the gentleman's amendment, would it be in order to offer an amendment to increase the sum of money contained in the bill for title I?

The CHAIRMAN (Mr. HOLIFIELD). The Chair will say that the amendment offered by the gentleman from Pennsylvania (Mr. Flood) is an amendment to the paragraph, a perfecting amendment, and if that amendment is agreed to an amendment striking and inserting a whole new paragraph would still be in order.

Mr. EVANS of Colorado. I thank the Chair.

Mr. SMITH of Iowa. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to point out to the Members of the House that on page 60 of the report is a list showing the States that will have their funding reduced below last year's level if this amendment is defeated. I think the Members might want to get out the report and look at that list. The total is \$36,498,049. This is a reduction below the amount they received in the present fiscal year that is about to end. Perhaps some others would get some more, but these listed States would have a decrease. It is going to be more difficult for those States who will not get as much as they have this year. So Members ought to be fully aware of that and look at the table on page 60 of the report.

Mr. PUCINSKI. Mr. Chairman, I rise in opposition to the amendment. The gentleman from Michigan has just pointed out there will be some readjust-

ments. Some States will have more and some less money simply because the ratio has changed. In the authorizing legislation we passed in this House we provided for those changes. Now we are coming in here and changing the rules. What about the States which in 1967 and 1968 and 1969 and 1970 were tied to the archaic figures of the 1960 census in the distribution of the money? They did not come in here and ask for readjustments in this formula. We said this was the formula the House authorized in the bill and we accepted that.

We accepted all those inequities. Now, as the figures change and as States that have improved their contributions are entitled to a better formula, the Appropriations Committee comes around to say, "We are going to change the ground rules, because we do not want to hurt anybody."

That is no way to play the game. For every State which will get more money under the amendment pending before the House other States will lose money.

I suggest we should stay with the formula authorized in the authorizing legislation. That is the only way to get equity in the distribution of these funds. Otherwise we will make a mockery of the whole legislative system.

We in the authorizing committee carefully studied all the aspects of this, as the gentleman from Michigan (Mr. O'HARA) pointed out, and we took into consideration all of the factors as to the distribution of the money.

I regret that the point of order was not sustained, but in view of the fact that the point of order was not sustained it is up to the Members of this House to retain the equity and the dignity of the legislative process instead of letting the Appropriations Committee come in now with an amendment to change and undo the whole thing.

These States are entitled to increases based on new figures compared to 1968, 1969, and 1970, when they were dealing with the archaic census figures. Why penalize them now, when they have a break coming and when they have been enduring hardship long enough?

I hope that the amendment will be defeated.

I will say that if this amendment is sustained, sooner or later every Member of this House will feel the full adverse effects of this amendment. I hope the amendment will be defeated.

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

Mr. Chairman, first let me address my comments in answer to the gentleman from Illinois (Mr. PUCINSKI) as to how these moneys will be distributed and under what formula.

Members should know that we may not get from the Census Bureau the updated figures from the 1970 census that will change the formula for the fiscal year 1973. If that be the case, then the argument does not hold any water whatsoever.

I personally hope that we are going to have those figures available so that we can crank them into an updated

computation in line with the authorizing formula.

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

Mr. MICHEL. I yield to the gentlemen from Illinois.

Mr. PUCINSKI. Is it not a fact, however, that we will ultimately get those figures and the Census Bureau has assured us these figures will be forthcoming? This amendment would totally negate any new figures.

Mr. MICHEL. No; I do not agree.

Mr. PUCINSKI. And we might as well not have any new census figures.

Mr. MICHEL. I do not agree with the gentleman at all.

Mr. PUCINSKI. The gentleman knows that is right.

Mr. MICHEL. I beg to differ, because I have just talked to Commissioner of Education this morning on that very point. I asked the question, "Have you got yet the revised census figures?" The answer was "No." I asked, "Can they get them to you soon?" And the answer was, "I do not know that they can."

Mr. PUCINSKI. He did not say they cannot. He did not say they will not.

Mr. MICHEL. I am just suggesting that there is an area of doubt that we will get them before September or October.

In answer to the gentleman from Michigan (Mr. O'HARA), the point was made that we are just going to give to each State what we did before. I would not be too concerned about that.

What was the concern of everybody here and of the subcommittee itself? It was to bring every State up to the point where they would not receive any less money this year than last. The Hathaway amendment does the same thing and goes beyond and grants some more.

So that particular argument does not hold water either.

Really, what the amendment of the gentleman from Pennsylvania (Mr. Flood) will do here is to provide that base for every State as it got last year.

If Members are interested in getting some more money for this title I, I would remind Members of the new Emergency School Assistance Act provisions; 15 percent of that \$1 billion appropriation that will come up here will go into title I, targeted in by the legislative act we all authorized. So they will get more money in the amount of \$150 million.

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

Mr. MICHEL. I am happy to yield to the gentleman from Michigan.

Mr. O'HARA. Last year I made the same point of order, and that proviso was knocked out.

I want the Members of the House to know that not a single State got a penny less as a result of my action, because the Appropriations Committee made sure of that when the supplemental came up. They put in the money needed for those States that had lost something, to make them whole.

I say to the Members of the House that if they defeat the amendment, the same thing will happen this year. No State will be hurt, and the States which need more will get justice.

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

Mr. MICHEL. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. Of course, as the gentleman from Illinois knows, the language was stricken out of the bill last year. A supplemental was necessary. The Members voted for it, and it passed almost unanimously. But it was also necessary to restore the floor language in the supplemental bill.

Mr. MICHEL. I would urge support of the gentleman's amendment.

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

Mr. Chairman, I am sorry I am differing with my colleague, the gentleman from Illinois, on the Flood amendment, but I think it would be a mistake for us to adopt that and make certain that every State receives the amount it received the year before. One of the things that will happen when we do receive the new census information—and I am astonished that the Census Bureau cannot get it to the Office of Education, and we cannot utilize it—we are going into the next school year, the 1972-73 school year still basing the formula on the 1959 income information. There is not a child in school who is counted now under that information, there is not a one in school. We do not know where poor children live until the census information comes out.

But there is another part of the formula that counts people on welfare; if it does happen that one State changes in respect to perhaps having less of a welfare problem and another State's position changes to having a worse welfare problem, then the money should shift to where the problem exists.

That is the way the silly formula is written. And if we do not like the formula then do not try to change it by saying that every State will come out with the same amount of money. We really ought to change the formula, and we will take that up in the next Congress. You cannot wait until all the kids have left school before you change the allocation to the States. It does not make any sense at all. All you are saying is let us just keep every State receiving the same amount of money. It is terrible to do that. Title I is not written to guarantee States a certain amount of money but to fund compensatory education for disadvantaged where they happen to live. Let us use the formula we have, and vote down the Flood amendment.

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

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

Mr. PUCINSKI. Mr. Chairman, actually there may be some very embarrassed Members in this Chamber when the census figures do come out, and many Members may find that by voting for the Flood amendment they have short-changed their respective districts, because when these new census figures come up we will be using data from 1970 instead of 1960 and you may find that you have dealt away or voted away a very substantial improvement in your

district by locking in the 1972 formula for 1973 as proposed by our colleague, the gentleman from Pennsylvania (Mr. Flood).

Mr. QUIE. It does not make any sense to pay for needs that do not exist.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. Flood).

The amendment was rejected.

AMENDMENT OFFERED BY MR. HATHAWAY

Mr. HATHAWAY. Mr. Chairman, I have an amendment to the paragraph of the bill 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 remaining paragraphs beginning with line 14 on page 19 and extending through and including line 17 on page 21.

The Clerk read as follows:

Amendment offered by Mr. HATHAWAY: On page 19, strike out lines 6 through 13 and substitute in lieu thereof:

"For carrying out, to the extent not otherwise provided, title I (\$1,810,000,000), title II (\$171,393,000), and title V, Parts A and C (\$53,000,000), of the Elementary and Secondary Education Act, \$2,034,393,000. 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), \$671,405,000, of which \$645,495,000, including \$41,450,000 for amounts payable under section 6 and \$10,000,000 for complying with section 303(1)(C) 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 \$25,910,000, which shall remain available until expended, shall be only for providing school facilities as authorized by section 5 and subsections 14(a) and 14(b) of said Act of September 23, 1950. For carrying out, to the extent not otherwise provided, the Education of the Handicapped Act, and section 5 of Public Law 85-905, \$143,809,000. For carrying out, to the extent not otherwise provided, section 102(b) (\$29,898,000), parts B and C (\$444,682,000), D, F (\$38,322,000), G (\$19,500,000), H (\$10,524,000), and I of the Vocational Education Act of 1963, as amended (20 U.S.C. 1241-1391), and the Adult Education Act of 1966 (20 U.S.C. ch. 30) (\$75,000,000), \$643,460,000, including \$16,000,000 for exemplary programs under part D of said 1963 Act of which 50 per centum shall remain available until expended and 50 per centum shall remain available through June 30, 1974, and not to exceed \$18,000,000 for research and training under part C of said 1963 Act. For carrying out, to the extent not otherwise provided, titles I (\$62,000,000), II, and III (\$7,530,000) of the Library Services and Construction Act (20 U.S.C. ch. 16); and title II (\$100,000,000) of the Elementary and Secondary Education Act; \$184,500,000, of which \$15,000,000, to remain available through June 30, 1974, shall be for grants for public library construction under title II of the Library Services and Construction Act.

Mr. HATHAWAY (during the reading). Mr. Chairman, I ask unanimous consent that the further reading of the amendment be dispensed with, and that it be printed in the Record and open to amendment at any point.

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

Mr. YATES. Mr. Chairman, reserving the right to object, may I ask the gentleman whether or not in his amendment

there is any provision for amending the section entitled "Educational Renewal" which appears on page 21?

Mr. HATHAWAY. As I understand, yes; my amendment can be amended.

Mr. YATES. In other words, in your amendment you do cover or make some changes in that paragraph?

Mr. HATHAWAY. No.

Mr. YATES. You do not?

Mr. HATHAWAY. No.

Mr. YATES. I thank the gentleman.

Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

Mr. HATHAWAY. Mr. Chairman, this is an amendment calling for an increase in the funding of titles I, II, III, and V of ESEA the Vocational Education Act, and the Library Services and Construction Act, the Impact Aid Act, and the Adult Education Act, by \$364 million.

The primary purpose of most of the money requested is to help people throughout this country who have been disadvantaged with regard to the education they have received.

Title I of the Elementary and Secondary Education Act was designed to help children from families of very low income, children who are definitely disadvantaged. We know that the Adult Education Act helps those who for one reason or another have not completed their education. Initially this act extended only to eighth-grade education, but a couple of years ago this was changed, and now under the adult education program those who did not receive a high school education are entitled to participate.

The principle purpose of this amendment is to bring school districts and State agencies throughout the Nation aid up to the funding level they had in 1972. Because, and as it has been explained in answer to the distinguished chairman of the subcommittee's amendment, the one that was just defeated, when the facts in the formula change, and you have the same amount of money, then you will have unequal distribution and many States who, for example, have increased the number of AFDC children would not be getting the same level of funding as they were last year unless we raise the amount of money. In fact, the tables that had been printed—and I believe they are in the report, and have been printed in the CONGRESSIONAL RECORD, and which have been sent around to the various offices—indicate that some 25 States would get less under title I, for example, than they got last year unless this amendment is agreed to. If the amendment is agreed to there is only one State, New Mexico, that would get less funding than it did in 1972.

We as a nation, for many years dedicated ourselves to making sure that every child throughout the country got some kind of education. Our objective initially on education in this Nation was quantity education. When the Nation was first founded, there were many young people who had no access to education whatsoever. We completed that objective. Every-

where in this Nation today a person can get some kind of education that is paid for with taxpayers' money.

But since the advent of the Elementary and Secondary Education Act, which was passed as you know in 1965, we have concerned ourselves with the quality of education the children throughout this Nation are getting.

The purpose of this amendment, which is called the quality education amendment, is to make sure we afford quality education throughout the Nation.

I think that in our every day deliberations here on the floor of the House and in committee, we get tied up too much with numbers and we forget just what those numbers really mean. We talk about children from disadvantaged families, those who come from families that have an income level of \$4,000 or less. But we fail to go further and really examine what it means to be a child coming from a family with an income of only \$4,000 a year or less. There are 12 million children in this Nation who come from such families. These children are coming from families where they have barely enough money for food and for rent. There certainly is not enough money for any educational material and devices such as books and magazines. Undoubtedly, the parents in these families do not have the educational background such as we in this Chamber and many others throughout the country have to give to our children.

So these children who come from these low-income families, come to school, and school is the only place really where they are going to get any kind of education unlike the middle-income family.

The CHAIRMAN. The time of the gentleman has expired.

(Mr. HATHAWAY asked and was given permission to proceed for 3 additional minutes.)

Mr. HATHAWAY. So they come to school where they are going to get their only education—unlike the middle income or the upper income family where a lot of the educational process takes place in the home.

So when they come to that school, they are at a considerable disadvantage competitively with the other students in that school.

This amendment today to title I is only \$22.5 million and adds merely \$17 per child for the 12 million disadvantaged children in this country.

In fact, the appropriation recommended by the committee is only \$133 per child and this would raise it to only \$150 per child.

Certainly we can afford in this country that has a gross national product of over a trillion dollars and which is the richest nation in the world—we can afford an additional \$17 for the disadvantaged child in this Nation.

But more than that, the investment in education—or the money we are going to put out for education, not only in title I but the other titles that are being amended here today, is going to constitute a savings to us in the long run. We are going to eliminate a lot of our welfare payments and a lot of the unemployment payments.

We are going to be able to eliminate a lot of the causes and the cost of crime and it is going to help to cut down on delinquency.

More than that, because of the investment we are making in education, we are going to make more productive individuals in this Nation so that they can go out and earn a living. They will more than repay in income tax the amount of money we are investing here today.

But even more than the money investment and the return that we are going to get from the investment we will make in education in terms of taxes, we have to look at the potential of each and every one of the individuals that we have in this Nation. If we are ever going to make this Nation the really great Nation that it is capable of being, we have to do everything we can do to help every individual regardless of what his economic circumstances are, realize his full potential.

By adopting the amendment here today, which does not provide a large sum of money—it is only \$364 million, and we spend many more dollars than that on hardware, and certainly we should be putting humans ahead of hardware—by adopting this amendment today, we can at least partially help many individuals in this country realize that potential.

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

Mr. BARRETT. Mr. Chairman, I commend the chairman of the Labor-HEW Subcommittee, my longtime friend and colleague, the gentleman from the 11th Congressional District of Pennsylvania (Mr. FLOOD) and the members of the Appropriations Committee for the bill before us. It provides funds for so many vital, needed programs dealing with the health of the American people. However, I must express my disappointment over the paucity of funds for a program which deals with a major health problem of so many of our young children. Preschool age children living in our cities and in rural America, generally in homes over 30 years old—and there are many of them.

I refer to the shortage of funds for Public Law 91-695, the Lead-Based Paint Poisoning Prevention Act, a program to conquer the man-made malady of lead poisoning.

Mr. Chairman, I would offer an amendment to the bill to increase the funding for this program, unfortunately the present authorization expires at the end of this month. However, I do not expect the program to expire for just yesterday the Senate passed S. 3080, which will extend and expand the program as well as authorize a much needed increase in appropriations. Similar legislation is pending in the Banking and Currency Committee.

This health problem, affecting almost one-half million young, preschool age children yearly, of lead poisoning is a man-made malady which has reached epidemic proportions. It has been called the silent epidemic. It results from the use of lead-based paints in older houses.

The first funds for this program were appropriated in 1971. Unfortunately, the

funds appropriated, including those in this bill, are far from what is needed to screen and treat the thousands of preschool age children subjected to the lead paint hazard and to inspect and remove lead from homes. We have just started to scratch the surface in dealing with this peril to our children. Of the approximately one-half million who suffer from this, only 12,000 to 16,000 actually receive treatment, and half of them are left mentally retarded. About 200 die from lead poisoning each year, and this from a manmade malady. Although lead based paint poisoning accounts for only 5 percent of all accidental poisonings of preschool children, this disease accounts for up to 70 percent of all deaths due to poisoning among these children. Approximately 3,200 children suffer moderate to severe brain damage, and 800 are so severely afflicted that they require institutionalization for the remainder of their lives. It has been estimated that such care costs \$250,000 per child for a lifetime of institutionalization. Annually, that is a cost of \$200 million to the taxpayer. There is no way to estimate or assess the untold pain, misery, and suffering of the parents and families of these children.

Mr. Chairman, we know the cause of this epidemic and we know how it can be conquered. As soon as the continuation of the program is approved, I sincerely hope that the Appropriations Committee will take the necessary action to provide full funding.

Mr. FLOOD. Mr. Chairman, I rise to oppose the amendment.

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

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

Apparently the authors of this amendment do not like the term "package." Now it is a "quality" amendment. Don't you love that? "Package" is a bad word now. Now it is a "quality" amendment. The name has changed, but the same people are behind it. It is the same people. They used to hang out in the Congressional Hotel. Now that is closed down, of course, and they meet in some hidden, mysterious place in the dead of night to concoct these amendments.

I am reminded of the three preparing the witch's brew in Macbeth:

When shall we three meet again? In thunder, lightning or in Maine?

They call it a quality amendment. At the shopping center we see quality beer, quality corn, or quality bologna. No matter how thin you slice it, it is still bologna.

It seems that no matter what the committee does, this group has to put together one of these "package" amendments, in order to justify their existence. I would remind you that the last time one of these "package" amendments was adopted in the House, the Labor-HEW appropriation bill was vetoed, the veto was sustained, and as a result, the appropriations were not finally enacted until March 5, after three quarters of the fiscal year had elapsed.

Let me make a few general remarks about how we have treated education

programs. As I have said on so many previous occasions, this bill is a can of worms. There are hundreds and hundreds of separate and distinct programs in it. Each one has its own clientele, its own constituency, its own advocates, all over this Nation. We cannot possibly please all of them. Our committee has to make tough decisions. There is only so much pie, and we have to try to divide it up equitably and sensibly. We try to achieve a balance which will be acceptable to a majority of the Members of this House. We are acting as your agents. You are looking over our shoulders all the time, and we are very much aware of it.

If you look at the summary table on page 2 of the report, you will find that this bill includes \$912 million in increases over the President's budget for 1973. There is a little over \$600 million in increases for health programs and about \$300 million in increases over the budget for education programs.

For the education programs which are in the bill before us today, we are providing increases of \$190 million, or 5.5 percent, over the 1972 level. But, this bill includes only a portion of the 1973 appropriations for education which are eventually going to be enacted. We have not yet considered appropriations for programs authorized in the education amendments which we passed last Thursday, and which contain authorizations for appropriations amounting to over \$6 billion for fiscal 1973.

We have left out of the bill a total of almost \$2.9 billion in 1973 budget proposals for education programs. If you add this to the amount in this bill for education, you will get a total of over \$6.5 billion which is an increase of \$1.3 billion, or 25 percent, over the 1972 appropriations. This is without considering any further congressional add-ons, which we all know are very likely to occur. I feel confident that when we are finished with all the appropriation bills in this session of Congress, we will have provided very large increases in funds for all levels of education.

Now, to be more specific:

The biggest single item in the gentleman's amendment is an increase of over \$200 million for title I of the Elementary and Secondary Education Act. The bill already contains \$1,597,500,000 for the title I program. This is the same as the budget request and the amount appropriated for 1972. Let me emphasize that we are talking about billions, not millions, here. When we discussed the education programs in our subcommittee markup session, we considered very carefully whether we should add funds over the budget request for the title I program. We decided against it for the following reasons:

We have added \$301,455,000 over the budget request for other education programs. We were quite sure that most Members—not all, of course—would rather have us put additional funds into those programs than into title I.

There have been many reports that school districts are not using title I funds properly. In a number of these cases, HEW is taking steps to recover title I

funds from school districts which have misused them.

The President's budget for 1973 includes an additional \$1 billion in new money under the Emergency School Aid Act. This money will go to schools educating low income, minority group children—the same children who are the target of the title I program. The conference report on S. 659, which authorizes this new program, passed the House last Thursday. I am sure that the \$1 billion, or some portion of it, will be appropriated for 1973.

These are the reasons why the subcommittee did not recommend an increase for the title I program. Now I would like to comment on the other parts of this "package" amendment.

First. School Libraries—Title II, ESEA—the bill includes \$90 million, the full budget request, and the same as the amount appropriated for 1972.

Second. Supplementary Centers and Services—title III, ESEA—The bill includes \$146,393,000, the full budget request, and the amount appropriated for 1972. This is for demonstration projects. The period of Federal support for these projects is limited. Therefore the appropriation will support 52 new projects for 1973.

Third. Strengthening State Departments of Education—Title V, ESEA—The bill includes \$43 million, the full amount of the budget request, and an increase of \$10 million over the 1972 appropriation.

Fourth. Vocational Education—The committee added \$50 million over the budget request and the 1972 appropriation. This is for basic State grants, which give the States flexibility to use the funds for programs which they believe to have the highest priority. We have also approved a requested increase of \$14 million for demonstration projects in career education. And finally, we have included language in the bill to assure that no State receives less in 1973 for vocational education than it did in 1972.

Fifth. Adult Education—The bill includes \$51,300,000, the full budget request and the same as the amount appropriated for 1972, together with language to insure that no State receives less in 1973 than it did in 1972.

Sixth. Library Services and Construction—The committee added \$26,770,000 over the budget request to keep this program going at above the current level.

Seventh. Impacted Area Aid—Public Law 874—The bill includes an increase of \$200,495,000 over the budget request and \$22,915,000 over the 1972 appropriation. This bill provides every school district with the same percentage of its entitlement in 1973 as in 1972. I assume that this means that every school district will get more money in 1973 than in 1972, unless its enrollment of federally connected children declines.

In conclusion, Mr. Chairman, I hope the Members will agree that we have done the best we could for education programs under the circumstances and will vote down the gentlemen's amendment.

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

(On request of Mr. GERALD R. FORD, and by unanimous consent, Mr. Flood

was allowed to proceed for 2 additional minutes.)

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

Mr. FLOOD. Of course I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Chairman, I have listened to the gentleman from Pennsylvania. First let me say I wholeheartedly agree with his point of view and I will do all I can to help and assist in defeating the Hathaway amendment.

Mr. FLOOD. I am sure the gentleman, with his distinction and intelligence, will do so.

Mr. GERALD R. FORD. Let me ask the distinguished gentleman from Pennsylvania if this is a correct analysis in summary of what he has been saying: In every one of the categories covered by this amendment there is at least as much if not more money recommended by the subcommittee for fiscal year 1973 as there was for fiscal year 1972.

Mr. FLOOD. Yes, that is right.

Mr. GERALD R. FORD. In no instance has any program or category been reduced.

Mr. FLOOD. That is right.

Mr. GERALD R. FORD. As a matter of fact, the committee has increased in various ways some \$300 million or more to help and assist, over what the President recommended and over what we appropriated for these programs in 1972.

Mr. FLOOD. I could not say it better myself. That is praise from Caesar.

Mr. GERALD R. FORD. I thank my friend.

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

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

Mr. HATHAWAY. The gentleman does not mean, however, that if the increase is not made in title I some 25 States will not get less in 1973 than they did in 1972 because of the increase in AFDC or the increase in per-pupil costs of education?

Mr. FLOOD. I say that we cannot play any numbers game. I do not have this crystal ball; your friends have it. You do not know it, and I do not know, and you know I do not know it.

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

(By unanimous consent, Mr. FLOOD was allowed to proceed for 1 additional minute.)

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

Mr. FLOOD. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. To answer the gentleman from Maine, did he not vote in the first place for the Federal aid to education program which established this formula which provides the inequities he alleges for 25 States?

Mr. HATHAWAY. If the gentleman will yield, I voted for the program, but it does not establish any inequity, in my opinion. If we have changes in the formula factors and we have the total amount fixed, then we are apt to have many States—this year it would be 25—who would get less money in 1973 under the committee bill than they got in 1972.

Mr. GERALD R. FORD. But the gen-

tleman from Maine voted for that authorization legislation about which he now complains. I do not understand.

Mr. FLOOD. Of course he did. I am not complaining about the formula.

Mr. HATHAWAY. I am just complaining about the funding to fulfill the formula.

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

Mr. Chairman, I want to make about three points with regard to this amendment so that the Members are fully aware of what they are doing when they vote on this amendment.

No. 1: The amendment strikes from the provisions of the bill, and does not reinsert it, a provision with regard to impacted aid which would provide the 100-percent and 90-percent provisions for Indian children, and category A children.

Talk about the children who are most in need of Federal support, these are the ones who are. The A's live on Federal property, and they go to school on Federal property, and we have protected them in this bill. This pending amendment would reduce the funds for them. The language which gives them more money is stricken in this pending amendment, and it is not reinserted.

In addition to that, the Indian children—and no one would claim, I would think, who has visited an Indian reservation, that it is possible to educate the Indian children on the same amount that most others are educated for in this country. I think they ought to be put under special legislation, but they are under the Impact Aid Law. So we have tried to protect them.

Well, if you vote for this pending amendment, you will vote to reduce the aid for the Indian children, and against protection for the A's also.

Then they talk about title I, the fact of the matter is that in this year, or for the school year of 1973, we are going to appropriate a total of about \$2.5 billion or a little more for a combination of title I and emergency school aid. The emergency school aid authorization just passed but is not as yet signed by the President. So in this bill there is \$1.6 billion for title I, the same amount as last year for title I, but the committee is not tying down the final amount for sure because the ratio will be determined when we reach the point where we can combine the emergency school aid in title I. We will not receive a request for additional money from the administration until the recently passed bill is signed by the President, but what we are going to be doing here if you vote for this amendment is to tie it down the ratio, at the ratio of 1.8 for title I, compared to .7 for emergency school aid.

This money should eventually go to essentially the same people. Whatever the majority after considering both programs together want to do should be it, and we ought to preserve some elbow room rather than determine it prematurely today.

We ought to have a balanced package and that includes all of these items that I have talked about. As far as these

other items in the amendment are, I think they ought to be considered separately, and I favor eventual increases for some. But I say that bringing this whole thing in as a package is not the way to do it. So you want to vote this amendment down and let these items come up one at a time, and then deal with them on their merits. And if they have merit they can be voted on on their merits, but they should not be included in a package like this.

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

Mr. Chairman, I just want to add my few words to what the gentleman from Iowa (Mr. SMITH) has said about the need for a balanced package. We have expanded programs in a number of ways and I favor expanded Federal aid to education.

Just recently, as you will recall, I strongly supported S. 659, the higher education authorization, and as the gentleman from Iowa has indicated, that has not been signed into law as yet, so that therefore the Committee on Appropriations could not bring forth appropriations for that.

Now, what we need to make certain that with a limited amount of funds available—and I am certain that we will appropriate more money for education than the administration asked for, and more money above the budget than the \$301 million that the Committee on Appropriations brought out—that we fund all authorizations in a balanced way.

Let us look at the disadvantaged kids, do you want to help them only under title I or also under the aid in the higher education bill? I would like to fund the student aid authorizations of the higher education bill so needy students can go not only to the 4-year liberal arts colleges, but vocational schools, and proprietary schools whose students get jobs as soon as they get out of school?

The only way we are going to write a balanced package that I can see is to send this bill to the other body, and the authorization bill will be signed at that time, and they will write as balanced a program as they possibly can, then our conferees can try to do the best for the House. They have shown their interest in education by appropriating \$301 million over what the President requested, and I think they made wise decisions in their increases. But on the Hathaway proposal that is before us, I do not think all of these are wise increases.

Let us look at the \$212 million for the Elementary and Secondary Education Act, title I. Where do we need the money most? It is where there is a concentration of disadvantaged children, meaning under the act—poor children—but only 27 percent of title I money goes to schools that have 30 percent or more of poor children in them.

You know if a child goes to a school where most of the kids are advantaged, according to the studies I have seen, they then absorb that motivation from those advantaged kids that they sit with.

But if kids go to school where a high percentage are disadvantaged, they have to have compensatory education and

some have improved from compensatory education.

But there is regression on the part of some title I students rather than improvement. There are some that have not shown any change at all. Others have shown substantial improvement and seems to be where there is concentration of funds which we don't even now do adequately enough.

I would say on title I they are just learning how to handle that money well. So I would expect you would keep this at that level for another year and provide the additional help through the emergency school aid authorization this year.

Last, I would say is that in impact aid money, I recognize that the committee has substantially increased the money for impact aid because they always have to do that because the majority of the Members of the House have substantial impact aid going into their district.

But when the Hathaway amendment adds some money for category "C" students, that is just an effort to bring the rest of us into the act to also vote for increased impact aid.

I do not care how you look at it—category "B" impact aid money is in many instances just a big boondoggle.

There is no reason why my children should be counted for impact aid in Montgomery County as they are. That is ridiculous.

Some category "B" students are really on impact, they ought to receive the money. But as yet, we have not separated the reasonable from the unreasonable.

Let us not go beyond what the Committee on Appropriations has proposed in this bill.

So, Mr. Chairman, I urge that you vote down the Hathaway amendment not as a move to stop spending money for education, but rather to enable the other body and the Committee on Appropriations in conference to write up a balanced package for education to provide increased funds that would provide the greatest amount of help to the young people who need it.

Mr. MICHEL. Mr. Chairman, I rise in strong opposition to the Hathaway package of amendments and would like to voice my objections to each of the items in chronological order.

First, your committee considered adding funds to title I, and we decided not to. Why?

One reason is that we still have questions about the effectiveness of title I as compared with some of our other education programs. Yes, we had questions last year—and the year before—and we are still not persuaded that another dollar put into title I will buy as much as a dollar put elsewhere.

The evaluation of title I is still really a mixed bag. You have one study showing significant gains in learning among disadvantaged children, and then you have others showing no appreciable difference.

Then, this year we also heard testimony on alleged misuse of title I funds by some school districts, and this concerns us very much.

But, besides this, we also have the administration's request for a billion dollars for the new emergency school

aid legislation, at least 15 percent of which would be earmarked for compensatory education—the target of title I. This would be \$150 million at a minimum. And probably more.

I urge my colleagues to turn down this effort to prematurely add over \$200 million for this title I item.

In a statement by the Secretary on April 23, 1972, there is reference to a study entitled "Effect of Compensatory Education" which gives evidence on both sides of the question.

Three other large-scale investigative studies indicate that title I is not effective. These studies are: G.E. Temple Study, conducted in 1965–67 and was done in 11 large cities; National Evaluation of Title I, this was done by the Office of Education; National Evaluation of Headstart Program, while this study was done only with regard to Headstart, the findings revealed that a very small percentage of the participating children made any appreciable advance and that even this was lost when the child was placed into a normal school situation.

Thus, there have been four major studies with negative findings.

Second, for school library resources, the amendment would add an additional \$10 million above the \$90 million recommended by our committee. Funds for this item have more than doubled within the past 3 years, and what we have proposed in our bill will serve 98 percent of the target population of 50 million students.

I think you should also keep in mind that this is not the only source of funds for library resources. For example, \$60 million of title I funds are used to purchase books and library materials.

The third item, supplementary services, title III, is funded at a level of \$146.4 million in our bill, and the amendment would add another \$25 million. This is a demonstration program, not designed to provide on-going support to school districts. Its purpose is to initiate supplementary educational programs with Federal funds—programs which can then be taken over by the States and localities. This means that we have old projects terminating and new ones starting each year.

Under our committee's recommendation, the level of support per pupil would remain the same—there would be no loss on that basis—and some 52 new projects could be initiated. We would have nearly 1,000 projects operating next year, and the success of this program is evidenced in the fact that about 62 percent of all projects funded by it have been continued with State and local funds. There is no justification for an increase here.

Your committee bill already contains almost a 30-percent increase for the next item, strengthening State departments of education—title V—ESEA. And, altogether, in the whole education budget, we have provided some \$141 million for State education agencies, compared with \$123 million in 1972. There is no reason for a further increase here.

The gentleman proposes another \$30 million for impact aid. This is preposterous. We should not add another dime to this item, which is already nearly \$23

million over the current year, and \$200 million over the budget.

And, for heaven's sake, let us not bring "C" students into the picture. Public housing is not a federally imposed burden, and there is simply no way of guaranteeing that the funds would go for the education of public-housing students within a school district. This could only further complicate an already inequitable program, and eventually wind up costing hundreds of millions more with little, if anything, to show for it. This House last year turned down a \$60 million amendment proposed for the same purpose—to initiate a funding of so-called "C" students.

I can certainly appreciate the good intentions of the gentleman from Maine in proposing the \$27 million-plus increase for the vocational education programs, but I wish he could have sat in on some of our hearings and discussions on this item. He might better understand why we recommended what we did.

In the first place, there is increasing evidence that our existing vocational education programs need to be more responsive to the demands of the current job market. The problem is, How do we make this happen? We are taking kind of a dual approach here. Commissioner Marland is working hard to develop a career-education thrust, to redirect both our thinking and our efforts in this area. The budget includes some \$55 million in increases for career-education programs.

At the same time, your committee added \$50 million over the budget, not for the more inflexible, categorical programs, but for basic State grants, which leave the States free to decide their own priorities. This is simply not the time to tie down more Federal dollars in categorical aid.

As far as adult education is concerned, again, if our committee language remains intact, no State will receive less than they have this current fiscal year. Besides an additional \$10 million in the OE budget for experimental projects and teacher training activities in this area, over \$30 million in fiscal 1973 adult basic education funds is available from sources outside the Office of Education—through OEO, Model Cities, and other appropriations.

Finally, for library services and construction, I would just point out that your committee has already added nearly \$27 million over the budget. The administration proposed reductions here primarily because—as they correctly indicated—95 percent of all States overmatch Federal funds for libraries. Here again, it is a question of priorities.

So, we have a package here of good intentions but poor justifications. I commend the gentleman from Maine for his concern, but at the same time, I urge my colleagues to reject his amendment.

Let me emphasize again, this is a very generous bill which we had put together for your consideration, and over \$300 million of the increases for the budget are in the field of education.

We have provided for a 30-percent increase in programs designed for educating the handicapped. The State grant program, the deaf-blind centers, early

childhood projects, specific learning disabilities, regional resource centers, programs for innovation and development, as well as technology and communications, and special education and manpower. These items are increased by more than \$33 million over last year's level for a total of \$143.6 million.

In addition our bill provides increases over the 1972 appropriation for special technology projects in the amount of \$10 million; the right to read program, \$10.3 million; career education models, \$14 million; environmental education and school health and nutrition projects, \$1.3 million; education statistics, \$2.7 million; education extension agents, \$6.6 million; and the national achievement study, \$1 million.

These are all selective increases, based on the testimony and best judgment of both departmental and outside witnesses, as to the need in these particular areas.

Your committee weighed this testimony carefully and recommended these increases in the light of overall budget priorities for education funds.

In other words, every item of concern to the gentleman from Maine has been considered in detail by your committee, and we have found that the further increases he recommends are simply not justified when weighed against the available dollars and the budget priorities with which we are working.

One final word if I may. I do not want to see this bill vetoed, and we are already on some shaky ground with our significant increases and from what we might expect over in the other body. I would certainly caution against piling on another \$364 million with this amendment. We are still faced with a \$26 billion deficit, and while some may dare the President in an election year to veto this bill, I think he has demonstrated quite recently that he is a gutsy, feisty President who will have no reservation about vetoing a money bill if it gets too far out of line.

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

Mr. Chairman, I rise in support of both the Hathaway quality education appropriation amendment and the amendment to be offered later for increased funding of bilingual education programs.

While I commend the Appropriations Committee in making certain increases over the administration's funding request for the Office of Education, I believe that unless greater increases are made in certain areas of this appropriations bill, current programs for disadvantaged children, for vocational training, and for adult education cannot be maintained at their present levels and may even have to be cut back considerably, due to the increase in the past year in the costs of services.

Particularly important in this amendment is the increased appropriation for title I—disadvantaged children—of the Elementary and Secondary Education Act. As reported by the committee this bill provides no increase for title I funds over the current year. Under this amendment, \$212.5 million would be added to insure that programs presently in operation will not have to be discontinued and

dismantled because of lack of funds next year. Our education programs are an investment in the future of our country, and we must make sure, particularly, that those children presently from disadvantaged backgrounds are not denied a share in this future.

In addition, these amendments will provide increased funds for school libraries by \$10 million, for vocational education programs by \$27.6 million, and for adult education programs by \$23 million. I must stress that these increases will provide for minimum funding levels, which are absolutely essential if we are merely to maintain viable education programs in all our States.

With respect to the bilingual education amendment which will be offered this afternoon, let me again stress the urgency of funding increases. At present, there are only about 100,000 children in the entire country being served by bilingual education programs under title VII of the Elementary and Secondary Education Act, and last year the Office of Education was able to approve only about 26 percent of the total applications it received for new programs. With the additional \$15 million provided by this amendment, approximately 90,000 more children—practically double the present number—could be reached.

Mr. ROYBAL. Mr. Chairman, I rise in support of the Hathaway amendment which would add approximately \$364 million to the Labor-HEW appropriations bill for eight vital programs.

While I commend the work of the Appropriations Committee, its subcommittee, and its chairman for supporting health manpower, equal education, and bilingual education, I believe the Hathaway amendment provides justified and reasonable program increases in these areas.

The largest chunk is for title I, Elementary and Secondary Education Act, which is designed to aid school districts in meeting the special educational needs of children residing in areas with high concentrations of low-income families. Here the amount to be added is \$212.5 million, increasing the total for title I to \$1.81 billion.

As you know, the major portion of title I funds is allocated by congressional formula to local educational agencies. The remaining funds serve special State agency programs for the handicapped, juvenile delinquents, neglected children, and children of migrant workers.

In fiscal year 1972, Congress appropriated \$1.59 billion for this program against an authorization of \$4.1 billion. For fiscal year 1973, the Labor-HEW appropriations bill has recommended the exact same level of funding as in fiscal year 1972.

I believe that there is more than ample justification for additional funds. First of all, there are over 8 million needy children who come from families with an income of \$2,500 per year or less. While many of these children are served by this program, the level of support per student is inadequate. The bill would only provide about \$203 per eligible child above what is annually expended for each child in the school he attends, in

contrast to the administration's own estimate that at least \$300 per child is needed to produce lasting results. The National School Boards Association places that figure closer to \$800.

In this context we should also remember that there are some 12 million children from families with an annual income of \$4,000 or less that certainly need our support.

An additional argument can be made. Given our current formula for distributing title I funds, 25 States would suffer cutbacks unless more moneys are provided for in this bill. The Hathaway amendment would assure that all except New Mexico would receive at least what they had in fiscal year 1972, with New Mexico's cutback drastically reduced.

Quite clearly the objective of this amendment is to provide adequate and equitable funding for every State not only for title I, but also for titles II, III, and V of our Elementary and Secondary Education Act; for vocational education programs, particularly for the disadvantaged; for the expanded adult education programs; our library services and construction efforts; and impact aid. This approach will help maintain the effectiveness of these programs and avoid serious reversals.

I strongly urge your support for this important amendment.

Mr. MINISH. Mr. Chairman, I rise in strong support of the amendment offered by Mr. HATHAWAY, known as the quality education amendment.

The amendment would add approximately \$364 million to the pending appropriation bill for the Departments of Labor and HEW. Among the programs whose funding would be increased if the amendment is enacted are title I of the Elementary and Secondary Education Act, funds for school libraries, vocational education, adult education, and library services and construction.

It should be noted that even if this amendment is adopted, the programs strengthened by it will still fall substantially short of their authorized funding levels.

A great deal has been said in previous debates this year about quality education. Well, we are not going to achieve quality education by funding vital education programs at or below last year's level.

The amendment is supported by the Committee for Full Funding of Education, an umbrella organization of more than 100 education groups including the National Education Association and the American Federation of Teachers. I urge approval by the House of the quality education amendment.

Mr. ANDERSON of Illinois. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Maine (Mr. HATHAWAY) which would add some \$364 million in appropriations for the Office of Education. I might point out that the omnibus bill before us today is already some \$912 million over the administration request, and that the committee's request for the Office of Education is already some \$300 million in excess of the budget estimate. In addition, I am told that this bill does not cover

nearly \$5 billion under the Labor-HEW category which will have to be appropriated at a later date, including nearly \$1.5 billion for higher education as a result of our recent authorization. And we are already talking about a revised budget deficit of some \$27 billion in fiscal 1973. And yet the gentleman from Maine would have us appropriate another third of a billion dollars in a bill which is already nearly \$1 billion over the budget request.

Mr. Chairman, I would ask, where does it all end? Where do we draw the line? We have heard a lot of talk about raising additional revenues by plugging the so-called tax loopholes, and I would certainly be in favor of taking a hard look at the various tax reform proposals which have been advanced. But Mr. Chairman, let us not be guilty of putting the proverbial cart before the horse by spending vast new sums before we have made provision for raising additional revenues by one means or another.

I note with interest that the gentleman has termed his amendment the quality education amendment, and that, as in the past, this has the support of various education groups. The largest portion of the \$364 million—some \$212.5 million—would go for title I programs—that is, those programs designed to assist educationally deprived children—for which the administration and the committee have already requested nearly \$1.6 billion. I think it is rather curious that this has the support of presumably the same educators who paraded before the House Education Subcommittee in opposition to the President's proposed Equal Education Opportunities Act which would target more moneys for compensatory education programs. You will recall that, in submitting this legislation, the President promised that a major portion of the emergency school desegregation funds be used as incentive grants to encourage eligible school districts to design educational programs to assist disadvantaged children. Specifically, the President asked for a compensatory education grant of approximately \$300 per low-income pupil for schools in which substantial numbers of the students are from poor families.

Why, I would ask, do those same educators who so vehemently oppose the President's Equal Education Opportunity Act to increase funding for compensatory programs now come out so strongly for the Hathaway amendment which would increase funding for these very same programs to the tune of an additional \$212.5 million? Under the President's proposal, about 15 percent of the \$1 billion annual emergency school aid money, or \$150 million annually, would be added to title I or compensatory programs. I appreciate the fact that the results of the title I program have been mixed, and to this day I am confused about its real value. But I am even more confused about this apparent contradiction on the part of the so-called educators who in one breath attack an additional \$150 million for compensatory programs, saying it is not the answer, and in another breath support an additional \$212.5 million for compensatory programs, saying this is a quality education amendment. They cannot have it both ways.

Mr. DANIELS of New Jersey. Mr. Chairman, although the Appropriations Committee added over \$300 million to the President's budget, most of these funds restored and were earmarked for programs the administration sought to cut. This year, with the battle over busing, most people, including the President, have been saying that it is not the transportation of children that is important, but the quality of the education at the end of the ride. The quality education appropriations amendment was therefore introduced.

The quality education appropriations amendment places funds in the areas of greatest need. The total package is modest compared to previous years—\$363.8 million. The amendment will also remove the 73-percent limitation on impact aid.

The quality education appropriations amendment provides much needed funds for:

First. Title I—ESEA—disadvantaged children, \$212.5 million.

Second. Title II—ESEA—school libraries, \$10 million.

Third. Title III—ESEA—supplementary services and centers, \$25 million.

Fourth. Title V—ESEA—strengthening State departments of education, \$10 million.

Fifth. Vocational education programs: Disadvantaged students, \$9.898 million.

Sixth. Consumer and homemaking, \$12,658 million.

Seventh. Work-study, \$4.524 million.

Eighth. State Advisory Council, \$0.514 million.

Ninth. Public Law 874, impact aid, \$30 million.

Tenth. Adult Education Act, \$23.7 million.

Eleventh. Library Services and Construction Act, \$25 million.

New Jersey school districts are in dire need of these additional funds. If this amendment were to fail, New Jersey would receive less Federal aid in fiscal 1973 than in fiscal 1972. New Jersey school districts, like school districts throughout the country, face a severe financial crisis.

The problem in New Jersey, however, is compounded by a recent superior court decision in New Jersey—Robinson against Cahill—that declared that the current property tax base of financing public education is unconstitutional. As of January 1, 1973, more than 50 percent of the local school districts will stop receiving State aid due to the superior court decision.

This means that more than half of the local school districts in New Jersey will not receive the State aid they anticipated in their fiscal 1972-73 budget. If the quality education appropriations amendment is not enacted, New Jersey school districts will receive less Federal aid in fiscal 1973 than they received in fiscal 1972. The loss of both Federal and State aid to local school districts in New Jersey is likely to cause a cutback in essential services to the youth of our State. I do not believe that we can permit this to happen to any child, whether he resides in New Jersey or any other part of our country.

The hue and cry we all hear in educa-

tional circles is for "accountability." Can we in the Congress possibly hold the educational community "accountable" if we do not provide them with the necessary resources to do the job?

I urge the Members of the House of Representatives to make themselves "accountable" to the youth and to the future of this Nation.

Mr. DRINAN. Mr. Chairman, I rise to express my strong support for the quality education appropriations amendment to H.R. 15417 sponsored by Congressmen BILL HATHAWAY, DAVID PRYOR, DONALD RIEGLE, and seven other members of the Appropriations Committee, to add the sum of \$363.8 million to the appropriation for the U.S. Office of Education for fiscal year 1973.

Before commenting further on this amendment, I wish to put my comments in perspective by briefly reviewing the recent history of congressional appropriations for education. The Nixon administration and the Congress clearly disagree on the role that the Federal Government should play in stimulating the growth of elementary and secondary education in this country. This point is made in the Brookings Institution's brilliant new study, "Setting National Priorities: The 1973 Budget," which was published last month. If I may quote at length from chapter 10, "Financing Elementary and Secondary Education":

The administration's past elementary and secondary education budgets have pursued four objectives. First, they have placed an emphasis on holding down expenditures; only very modest increases were requested in 1971 and 1972. Second, last year the administration made a major effort to consolidate certain categorical aid programs by combining them into a special education revenue sharing grant that was to have been distributed on a formula basis to states and school districts. Third, this administration, like its predecessor, has persistently and unsuccessfully tried to reduce the impacted areas aid program. . . .

The Congress, on the other hand, has ignored the aims of the administration, and instead has tended to maintain past emphases while increasing the total amount spent on education. In both fiscal 1970 and 1971, it enacted appropriations for education that the President vetoed because he considered them both too large and misdirected. The administration's special revenue sharing program for education, which was to have consolidated more than thirty programs into five block grants, was not acted on by the Congress last year. Instead it passed a 1972 appropriation for the Office of Education . . . that reflected its usual priorities. . . .

In no other area of Federal responsibility has Congress exerted its considerable influence over the executive branch more forcefully and more successfully than over the annual appropriation for elementary and secondary education. Yet this year the Appropriations Committee of this House has asked us to approve exactly what the President has requested, despite the President's demonstrated hostility to the provisions and the intent of the Elementary and Secondary Education Act.

For example, the President—and the Appropriations Committee—want to allocate \$1.598 billion for title I of the act. The purpose of title I is to provide funds to improve the educational achievement

of children from low-income families. Since its inception in 1965, title I has been one of the most successful of all programs administered by the Office of Education. Yet the \$1.598 billion sum, if approved, would force half the States in the Union to decrease their title I expenditures in 1973.

Under the terms of the Hathaway amendment, an additional \$212.5 million would be added to the important title I appropriation, the sum necessary to assure that no State would have to make drastic cuts in its title I program for 1973. Altogether \$257.5 million would be added to the four principal titles of the Elementary and Secondary Education Act, enough at least to restore some sense of forward movement to the largest and most important single program in the Office of Education.

The Hathaway amendment adds \$27.6 million to the \$54.3 million recommended by the Appropriations Committee for the Vocational Education Act. In 1972 the Congress voted \$54.3 million in VEA funds. For 1973 the President requested the same sum and the Appropriations Committee approved it without change, despite the tremendous interest generated in the act's provisions. The Hathaway amendment adds 50 percent to the funds for the consumer and homemaking program, 50 percent to the work-study program, 75 percent to the program for disadvantaged students with special needs, and 25 percent for the State advisory councils. The overall appropriation for vocational education is raised from \$54.3 million to a more realistic \$81.9 million.

Fortunately, and much to the Appropriations Committee's credit, the committee has done its usual admirable job of safeguarding one program from the Nixon administration's annual attempt to reduce it. The program is, of course, the enormously important impact aid program, which provides financial assistance to school districts whose tax base is seriously affected by Federal installations or Federal activities. The President's request of \$415 million for 1973 is almost \$180 million below the figure approved for 1972, and the committee in its wisdom restored more than \$200 million to the President's wholly inadequate request. The committee's \$615.5 million recommendation for 1973 is still \$30 million short of the figure in the Hathaway amendment, but it is nonetheless an important step in the preservation and expansion of the highly successful impact aid program.

In summary, the Appropriations Committee has added approximately \$301.5 million to the administration's 1973 education budget request. However, two-thirds of this sum was added to the impact aid program, for which the Nixon budget request was \$177 million below the expended amount for fiscal year 1972; in total, therefore, the 1973 recommendation of the Appropriations Committee is only \$54.1 million greater than 1972 outlays—a small increase in light of the traditional role of this committee in the educational budgetary process.

The Hathaway amendment would add a much needed \$363.8 million to the com-

mittee's recommendation, including an additional \$257.5 million for elementary and secondary education, \$27.6 million for vocational education, \$30 million for impact aid, \$25 million for library services and construction, and \$23.7 million for adult education. This amendment is entirely consistent with actions this House has taken in the past several years in appropriating considerably more for education than the President requested—three-quarters of a billion dollars more in fiscal year 1971, for example.

In a year when the debate over quality education has all too frequently dissolved into highly emotional and partisan considerations of issues which are only distantly related to education, it is appropriate that we should intensify our efforts to assure that the Nation's schools get the funding they need to move forward. I urge my colleagues to approve Congressman HATHAWAY's quality education appropriations amendment, and I suggest that everybody who is interested in the field of education recall the words of the Red Queen in Lewis Carroll's "Through the Looking Glass":

Here, you see, it takes all the running you can do, to keep in the same place. If you want to get somewhere else, you must run at least twice as fast as that!

Mr. O'HARA. Mr. Chairman, I wish to express my strong support for the Hathaway amendment, and for the contribution which it will make toward making "quality education"—not a catch phrase—but a reality.

I would hope that my colleagues would consider this amendment, first and foremost, on its merits—for on this basis, alone, it deserves favorable consideration.

Beyond that, I would hope that my colleagues would consider this amendment in the light of the votes which we have cast in this Chamber on the busing issue. I see a direct relationship between the action which we have taken on busing and the action which we will take today on doing something about quality education for all children, but particularly those who are educationally disadvantaged.

There has been much discussion in this Chamber—about the rationale behind court-ordered busing. And it always seemed to boil down to the issue of how do we go about assuring quality education in this country.

I was a cosponsor of the Broomfield amendment. I worked for its inclusion in the Higher Education Act and I supported it every step of the way. I did so because I felt that busing to achieve racial integration—or busing to achieve quality education—simply did not make any sense. The overwhelming number of my constituents feel the same way. In my annual congressional questionnaire, which my staff has just completed tabulating, 92.9 percent of the people voted against forced busing.

At the same time that the people in my district were expressing their overwhelming opposition to court-ordered busing, they also placed themselves solidly on record in favor of making a greater financial commitment to the inner-city schools. By a margin of better than 2 to 1, my constituents said they

were willing to support increased expenditures of public funds for educational programs to aid the educationally disadvantaged.

This amendment involves precisely the kind of commitment that my constituents have indicated they support—more money where it is needed most to get the educational job done. I believe that this principle is shared by those in this Chamber who provided the majority vote by which we have passed antibusing amendments.

If we adopt the Hathaway amendment, the words "quality education" will reflect our conscience, our commitment, our sincerity.

If we reject the Hathaway amendment—in the light of our votes on school busing—then quality education will be nothing more than code words for racism.

I do not believe that this body is racist.

I am confident that the Hathaway amendment will prevail—and that we will put our money where our conscience is.

Mr. RYAN. Mr. Chairman, I rise in support of the quality education appropriations amendment which would provide additional funds for essential educational programs.

This amendment would provide additional appropriations totaling \$363.8 million for a variety of programs ranging from grants for vocational education to education of the handicapped. It would provide an additional \$9.8 million for vocational students with special needs and would insure that no State receives less in fiscal year 1973 than it received in fiscal year 1972. The amendment would provide an additional \$4.5 million for vocational work-study programs, again insuring that no State receives less in fiscal year 1973 than it received in fiscal year 1972. And an additional \$25 million would be provided for library services and construction.

I would like to touch briefly upon one program which has been consistently underfunded by the Congress and which would receive additional funds under the Hathaway amendment.

Title I of the Elementary and Secondary Education Act provides financial assistance for disadvantaged children and represents an attempt to alleviate educational deficiencies resulting from an impoverished environment and inadequate cultural, health, social, and educational experiences. The committee bill provides for \$1.5 billion for title I programs, the same amount as was appropriated for fiscal year 1972. The Hathaway amendment would increase this amount by \$212.5 million.

I think that an excerpt from a study published in 1971 by the Committee for Economic Development, entitled "Education for the Urban Disadvantaged," clearly points out the need for increased funding of these programs:

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.

It is true that we cannot solve this problem with money alone, but a lack of funds will deny any possibility of success in assisting these children.

The programs funded by the Office of Education appropriations bill are, and should be, of enormous importance to all Americans. It is vital that adequate educational opportunities be provided for the people of our country. The Hathaway amendment is essential in meeting that responsibility, and I urge my colleagues to vote in favor of it.

Mrs. ABZUG. Mr. Chairman, I rise in support of the quality education amendment, which would add \$364 million in education funds to this bill, and in support of the Badillo amendment, which would add \$15 million to the appropriation for the bilingual education program.

Congress can face no greater challenge than to increase our commitment of Federal tax dollars to the educational programs in this country. Education is the lifeblood of a society, and it is our most important tool for assuring progress for America and equal opportunity for all Americans.

The bulk of the money proposed in the quality education amendment—\$212.5 million—would be for programs under title I of the Elementary and Secondary Education Act. Aid under title I is for local educational agencies serving areas with concentrations of children from low-income families to expand and improve their educational programs by various means—including preschool programs—which contribute particularly to meeting the special educational needs of educationally deprived children.

Under the law, these funds are not just swallowed up in the budgets of local school boards; they must be spent in areas having high concentrations of deprived children; they must be used in addition to—not instead of—funds otherwise made available to those areas. In short, they represent a direct pipeline from the Federal Government to the children of this Nation who are most in need of that help. They represent a national commitment on which we must not scrimp or cut corners. Nothing—not the war in Indochina, not the space shuttle, not the SST—is as critical to assuring equal opportunity in our society as a proper education, and title I programs are an important factor in bringing this about.

The quality education amendment also contains much needed additional funding for vocational education, school libraries, and adult education. These too are areas in which we should make the fullest possible commitment of our resources, and I urge the adoption of this amendment.

Mr. STOKES. Mr. Chairman, I must make several comments about this appropriations bill for the Departments of Labor and HEW. The bill provides funds for hundreds of vital programs dealing with human needs. The sums are vast, but the needs are impossible to measure in dollars. I am generally pleased with the bill. The Subcommittee on Labor-

HEW and the full Appropriations Committee have increased the President's budget request by just over \$900 million. I commend my colleagues on the committee for this demonstration of commitment to people programs. Health programs, particularly in the manpower area, and education vitally need the increased funds which the bill provides.

There is one portion of the bill which I feel is inadequate. That is the funding recommended for the Office of Education. I understand and appreciate the fact that a very substantial increase in this item was approved. I regret to say, however, that the increase was insufficient. I was one of nine members of the Appropriations Committee who submitted additional views. I urge my colleagues to read that statement which begins at page 59 of the report on the bill. The quality education amendment offered by the gentleman from Maine (Mr. HATHAWAY) has our support. It is designed to prevent reduction in funds available under the Elementary and Secondary Education Act. Because of revisions in the formula under which such funds are allocated, many States would suffer serious cuts in ESEA funding if our amendment is not adopted. In addition, the amendment will provide much needed increases in funding for vocational education programs, and programs under the Library Services and Construction Act. I hope that my colleagues will recognize the necessity for these additional funds and support the amendment.

I regret that this bill, like the Higher Education Act, is tainted by antibusing provisions. Sections 208 and 209 at pages 33 and 34 of the bill are of questionable legal effect. The implication is clear. These sections are yet another expression of the foot-dragging resistance to the elimination of the last vestiges of segregation in our schools. Like all of the other antibusing legislation which has come before this House, I am vehemently opposed to these provisions. Once more I call upon my colleagues to bury this volatile and totally insubstantial busing issue. Let us get on with the effort to provide both quality and equality in education.

Mr. LEGGETT. Mr. Chairman, I hope the Hathaway amendment will pass. We hear a lot of talk about reordering national priorities these days, but we have seen very little action. Today we have a chance to put our money where our mouths have been.

The Appropriations Committee has done good work in appropriating funds above the level requested by the Nixon administration. But I believe we should improve on this work still further by passing the Hathaway amendment.

This package of amendments contains \$30 million for impact aid, which, of course, is a matter of personal interest to me given the heavily impacted nature of my district. A number of my school districts are on the brink of fiscal disaster and this will certainly help.

But, in addition, the Hathaway amendment contains \$212.5 million for education for the disadvantaged, \$10 million for school libraries, \$25 million for library services and construction, \$27.6

million for vocational education, and \$25 million for library services.

Mr. Chairman, these are the kinds of services a government is supposed to provide for its citizens. This is the reason we are in business. The total Hathaway amendment is less than one-twentieth of 1 percent of the projected military budget.

If we can afford anything at all, we can afford the Hathaway amendment.

Mr. ADDABBO. Mr. Chairman, I rise in support of H.R. 15417, the Departments of Labor, and Health, Education, and Welfare, and Related Agencies appropriation bill for the fiscal year ending June 30, 1973.

I also support and will vote in favor of the amendment to be offered by our colleague (Mr. HATHAWAY) to add additional funds to this appropriation measure for activities of the Office of Education. These increases are needed to bolster the basic section of the Elementary and Secondary Education Act, Federal aid to local school districts with large numbers of disadvantaged children and to prevent decreases in funding. Without passage of this amendment, 25 States will receive less money for fiscal year 1973 for their local educational agencies than they received for fiscal year 1972.

In addition this amendment will provide \$10 million additional dollars for school library construction and services programs. In Queens, N.Y., we have seen the need for additional assistance in this area to prevent the shutdown of library services.

As a member of the Appropriations Committee I believe we must assign a high priority to education and it was for that reason that I joined with nine of my colleagues of the committee in filing additional views in connection with the committee report on H.R. 15417. The committee has considered the many programs covered by this appropriation measure with a view toward readjusting some of the priorities recommended by the administration. For example, while no funds were requested for the construction of community mental health centers, we have added \$20 million to the bill and we have increased by \$10 million the request for programs for mental health for children.

Another area in which the committee felt more funds were needed was alcoholism prevention and control. A total of \$59 million additional has been added for research, training, and project grants to the States. We decided not to drop funds for hospital construction and public health centers as recommended by the administration but instead we have appropriated at the 1972 level. Other health programs funded by this measure include the new National Cancer Institute, the new National Heart and Lung Institute, health manpower training programs, and nutrition programs for the elderly.

Under the Labor Department appropriation sections of the bill, we have funded at the level requested by the Occupational Health and Safety Act program for administration of controls to protect workers in hazardous employment as well as manpower training programs.

I urge my colleagues to support H.R. 15417 and to vote for the amendment to increase appropriations for Office of Education programs.

Mr. RANGEL. Mr. Chairman, I support the commendable work done by Chairman Flood and the Appropriations Committee in the arduous task of weighing the merits of so many worthwhile Federal programs, of balancing competing fiscal considerations against the urgent needs of labor, education, health, and welfare.

The results of their deliberations include a number of items of special interest in the \$28 billion HEW appropriation and the \$3 billion Department of Labor budget. Among other things, the committee has added \$59 million over the budget for alcoholism prevention and control, \$20 million to keep the program for construction of community mental health centers going, \$112 million for hospital construction, and \$2.5 million over the budget request of \$9.5 million for lead-based paint poisoning prevention programs.

I am, however, somewhat disappointed to find some less favorable recommendations sandwiched in an otherwise good bill. I refer to the sickle cell appropriation, the so-called Whitten amendments, and the education appropriations.

When an estimated 10 percent of the black population carries the sickle cell trait, and when one out of every 500 black babies born has the hereditary disease itself, it is discouraging to learn that the committee has made no increase in the \$15 million administration request for sickle cell anemia research.

Another disappointment is the so-called Whitten amendments relating to school desegregation and busing which again have been towlined on to the appropriations of HEW. Under section 208 of the appropriations bill, HEW is prevented from requiring any school district to bus students, to close down any segregated school, or to transfer any pupil to another school unless by freedom of choice. Under section 209 of the bill, HEW is prevented from authorizing as a condition precedent to obtaining Federal funds any of these traditional modes of dismantling dual school systems. These ill-conceived amendments do little other than undermine the constitutional mandate of school boards to end State-fostered segregation at once. I am hopeful that the Senate will again neutralize these repugnant measures as it did last year. I think it is very unfortunate that there are simply not enough votes here in the House to cleanse this appropriations bill of the racist taint in these amendments.

Another disappointment is the funding levels for education—programs for disadvantaged children, school libraries, supplementary centers, State departments of education, impacted aid, vocational education, adult education, and library services.

Under the committee recommendations these eight key educational programs would receive a total of \$2.657 billion. Title I for disadvantaged children would receive \$1.597 billion, title II for school libraries would receive \$90 million,

title III for supplementary centers would receive \$146 million, title V for strengthening State departments of education would receive \$43 million, impacted aid would receive \$615 million, vocational education programs would receive \$53 million, adult education would receive \$51 million, and library services would receive \$60 million. For the most part, all these programs would be funded at basically the same level as they were for fiscal 1972. Since teacher salaries, equipment, supplies, and services are continuing to go up, it would mean that the same programs could not be run again this coming fiscal year on the local level. In other words, inflationary costs would cause a 5-percent cut-back in existing programs now being conducted in local school districts.

For this reason, I strongly favor the Hathaway amendment. Under this package amendment, appropriations for these key educational programs would be boosted by \$364 million. Some \$212 of this \$364 million increase would go to disadvantaged children under title I programs. This additional amount proposed by the Hathaway amendment would guarantee that every State but New Mexico would have at least as much as it received for the previous fiscal year and the difference in New Mexico would amount only to \$270,000 instead of \$1.4 million.

Title I, as you may know, is a program to assist school districts in meeting the special educational needs of children residing in areas with high concentrations of low-income families. Under the committee bill, New York State would receive about \$207 million of the total \$1.597 billion appropriated nationwide for the program. The Hathaway amendment would boost New York State's share some \$32.5 million from \$207 million to over \$239 million.

Title I has not been very successful in meeting the special educational needs of disadvantaged children in New York City where about \$140 million was spent this fiscal year. Primary responsibility for this snafu lies with the State department of education which has approved dozens of projects it should not have primarily because of sloppy monitoring. The central board of education, of course, under decentralization looks only to see that the forms are properly filled out and does not really review the substance of the proposals submitted by the local districts. The State simply has not put enough professionals on the monitoring process but rather has allocated them for other work such as devising innovative reading models.

When I find that the reading and quantitative skills of the title I target children in my congressional district show no substantial improvement after title I funds have been poured in, I have a difficult time continuing to justify voting for increased appropriations above the amounts recommended by the House Appropriations Committee.

I see two big problems citywide in title I. First, the programs submitted for approval are frequently not designed to meet the greatest needs of the children themselves. For example, it is fine to fund

hundreds of paraprofessionals but they should be utilized full time in helping children develop mathematics and vocabulary skills rather than running errands for principals or doing community work in an OEO fashion. The second problem is that the evaluative process is ineffective for determining how good the programs are and whether they should be continued or changed. Large sums of money are contracted out to private concerns to do this evaluating and yet their results don't really respond to what evaluation is all about.

Still another problem is that the money to meet teacher union demands seems to come out of title I. Title I is an exceptionally complex program where administrators and coordinators must exercise hard judgment on which children should receive the benefits since the funds must be concentrated on limited numbers if the funds are to have any effect and exercise hard judgment on which needs are the most urgent since all needs cannot realistically be met. It is unfortunate that the teacher union demands and special needs of educationally deprived children do not always coincide.

It is with some reluctance, then, that I vote today in favor of the Hathaway amendment which would give the State \$32.5 million more for title I, the bulk of which would go to New York City. But I feel it would be unconscionable to deprive our children of additional funds if there is any hope for their improvement as a result of this increase. I am hopeful that State and local school officials will now take the appropriate steps to correct some of these deficiencies.

Mr. WOLFF. Mr. Chairman, I am pleased to support the Hathaway amendment, which I feel will be adopted. However, the adoption of the amendment will preclude my offering of an amendment to this section which I know would have had a great deal of support from my colleagues here on the floor.

Mr. Chairman, this amendment was directed specifically to the special programs for children with specific learning disabilities established in April of 1970.

This program is aimed not primarily at the physically, mentally, or emotionally handicapped child but at the child who experiences academic failures as a result of learning disabilities and a lack of adequate attention to such disabilities. I understand that about 70 percent of the handicapped conditions could be prevented or ameliorated with the appropriate early intervention. Yet only about 10 percent of the 2.5 million children under six actually receive any direct attention under such federally sponsored programs.

Under Public Law 91-230 the Office of Education is authorized to establish and operate, in conjunction with a variety of State and local agencies and organizations, model centers for the improvement of education of children with specific learning disabilities which would provide testing, evaluation, program development and teaching assistance in this vitally important area. A report recently submitted to the Secretary of the Department of Health, Education, and Welfare concluded that "a student's

initial failure in learning to read can have enormous consequences in terms of emotional maladjustment tendency toward delinquency, likelihood of becoming a dropout, and difficulty in obtaining employment." I know that many of my colleagues supported the original program for children with disabling learning problems precisely in order to identify early and hopefully eliminate the potentially dire consequences of such problems.

However, let us look at the record of the Congress for this important program. We provided an authorization, spread over a period of 4 years of \$94 million for these special programs for children with specific learning disabilities. During the past 3 years, we have been, I feel, derelict in our responsibility to this program since we have appropriated only \$3.25 million. If we enact this section today without amendment, we will have appropriated a grand total of \$6.5 million for the entire 4-year period. At this rate, it will take almost 20 years to expend the funds that were authorized for 4 years. This is an intolerable situation.

Mr. Chairman, innumerable Members of this body have time and time again taken to the floor to call for a particular problem to be dealt with at its very source. We hear of alpha and omega costs, that is the cost of prevention and the cost of cure. It is cheaper to prevent than to remedy.

Here we had an opportunity to improve our educational system by diagnosing disabilities and setting up programs to deal with them. We also had the opportunity to prevent before it happens, dropouts, juvenile delinquents, and other emotional disorders.

My amendment merely provides for an accelerated expenditure of funds in this area during the 1973 fiscal year. The \$31 million total would still put this program at about only one-third of its originally authorized funding. Certainly this is a small amount of money compared to the sums spent on dealing with the results of the lack of efforts to check these disabilities at their source. Inasmuch as there was considerable support for my amendment, I hope that we will be able to add it on to the next supplemental appropriation.

Mr. WILLIAM D. FORD. Mr. Chairman, I rise in support of the Hathaway quality education amendment. This amendment would add approximately \$364 million to the appropriations for the Office of Education for the coming fiscal year.

It contains additional funds for such vitally important education programs in the Elementary and Secondary Education Act as title I, for disadvantaged children; title II, for school library resources, textbooks and other instructional materials; title III, for supplementary educational centers and services; and title V, for State departments of education.

It also contains additional funds for the impact aid program, for vocational education programs, for adult education, and for library services and construction.

The Hathaway quality education

amendment is supported by virtually every educational organization in the United States, including the National Education Association, the American Federation of Teachers, the Council of Great City Schools, and the Emergency Committee for Full Funding.

Mr. Chairman, while the debate on this amendment has been heated and vigorous, and while educators throughout the country are anxiously awaiting the final outcome, I would like to stress that even with the adoption of the Hathaway amendment the amount we will be appropriating today does not even come close to the amount which is actually needed to solve the crisis in education presently confronting this country.

The adoption of the Hathaway amendment is necessary. It is crucial. But in proper perspective it amounts to nothing more than merely applying a band-aid or a temporary splint when major surgery is actually required. What Congress should really be doing here today, instead of bickering over an additional \$364 million for education, is making a much greater financial commitment—the kind of commitment which experts have told us is so urgently required and the kind of commitment which some of us have been advocating for years.

We should be making the type of commitment Commissioner of Education Sidney Marland was talking about last year when he told nine big-city majors that he believed "the Federal Government should pay 25 to 30 percent of the cost of public education." We should be responding to the study financed by the Office of Education which tells us that:

Public schools should receive at least 22 percent and preferably 30 percent of their total revenue from the Federal Government in order for the schools to have an adequate tax base and in order for the Federal Government to accomplish legitimate and appropriate Federal purposes.

The National Education Association has also recommended that the Federal Government should provide 33 percent of the cost of educating our children.

While I hope this body will act favorably on the amendment before us today—so we can at least get a few more Federal dollars to our local schools immediately—it is my hope that by this time next year we will have had the opportunity to act on my own proposal—the Quality School Assistance Act. This legislation would do away with this present patchwork approach and provide the mechanism to send enough Federal dollars to each and every local school agency throughout the country so that we can begin to provide the quality and equality in education which is so urgently needed in almost every State.

The Quality School Assistance Act, which I introduced last year and reintroduced this year with almost 40 additional cosponsors, would enable the Federal Government to contribute immediately to each local school agency, an amount equivalent to 20 percent of the average per-pupil expenditure. This amount would increase gradually each year until it reached a level of 35 percent of the cost of educating each child in 1976.

But while we quibble today over this

amendment, which simply provides for a mere 364 million additional dollars to the Federal Government's contribution to the cost of educating our children, it should be kept in mind that despite all the recommendations of the experts, the amount of the Federal contribution to education today remains at a level of approximately 7 percent of the total cost.

It should also be kept in mind that in spite of all the talk we have heard during the past year about school finance reform and about quality education, the bulk of the burden of financing education continues to be borne by the financially starved State and local governments. Approximately 41 percent of the cost is derived from State governments and most of the remainder—which amounts to over 50 percent of the cost—is derived from what the Office of Education's study refers to as "the most regressive of any of the major types of taxes"—the local property tax.

Mr. Chairman, we simply can no longer afford to depend on property taxes as the major source of revenue for educating our children. The property tax is grossly unfair—it is unfair to families with school-age children, it is unfair to our senior citizens living on fixed incomes, and it is unfair to the struggling small businessman.

The voices of the people have spoken loudly and clearly on this issue. They simply will not and cannot afford any more increases in local property tax. They are depending on us in Congress to find a solution to this problem, and the only immediate solution is more Federal funds. During the past few years the people in my own congressional district have on several occasions voted down further increases in property tax—not because they are not interested in quality education for their children, but because they simply can no longer afford the increases in this type of tax.

The situation is the same in virtually every part of the country. Last year voters approved only 47 percent of the school bond issues put before them—compared with 75 percent as recently as 1965 and 89 percent in 1960.

The result has been disastrous, but it is the result which many of us have been predicting for several years. We are now faced with the sad spectacle throughout the country, of overcrowded and deteriorating schools, half-day sessions, bankrupt school districts, and court orders requiring students to be bused away from their neighborhoods so they can receive a proper education.

Mr. Chairman, only the Federal Government has the resources to respond to this national crisis in education, and it is up to us in Congress to take the initiative.

The response of the executive branch under the leadership of Mr. Nixon has been shameful and irresponsible. The Nixon administration's response to this growing national problem has been the typical Nixon approach to any domestic problem—plenty of soothing rhetoric concocted by his White House staff of slick advertising executives and public relations men, but no substantive or decisive action.

The reason that most of us here in

Congress have been visited by educators from all over the country during the past week is that these people know we are their last hope. They know their pleas have fallen on deaf ears in the White House, and they know all about Mr. Nixon's colorful rhetoric and his do-nothing approach.

They remember all too well Mr. Nixon's campaign speech in February 1968, in which he stated that "when you cut expenditures for education, what you are doing is short-changing the American future." Of course that was back in the days when Mr. Nixon was also telling us that he was capable of running things properly and that he had a secret plan to end the war in Southeast Asia.

There was, however, one line of rhetoric which came out of the Nixon administration which proved to be very true indeed. That was when we were told by the Nixon administration to "watch what we do rather than what we say."

This statement is particularly appropriate with respect to Mr. Nixon's record on education, for after that speech he made in 1968 in which he told us that we are short-changing America's future when we cut expenditures for education, he promptly began to build an excellent record of short-changing America's future. He vetoed the appropriations for education for fiscal years 1970 and 1971 and this year, despite all his rhetoric about quality education and high property taxes, he sent a budget request to Congress which was labeled by the National Education Association as "a totally inadequate response to the pressing needs for the schools," because it was so far below the amount Congress had already authorized to be spent on education.

Mr. Chairman, we in Congress can no longer fail to respond to this country's educational needs. We have seen the dismal response of the Nixon administration and we have heard the voice of the people. The additional funds in the Hathaway amendment amount to no more than what Mr. Nixon spends in 3 or 4 days on that war in Southeast Asia which he told us he could end back in 1968. The amount contained in the Hathaway amendment is necessary just to prevent 25 States from receiving less Federal funds this year than they did last year, and I strongly urge its adoption.

We are told today, as we have been told in the past, that passage of the Hathaway amendment will cause the President to veto the entire appropriations for both health and education. I am sure that the parents and students in Michigan who face a very uncertain future in their schools will be watching as the President has a chance to express himself on the priority rating of education in his administration.

The action we have already taken in this Chamber today by supporting my friend and distinguished colleague from Michigan (Mr. O'HARA) in defeating the Flood amendment has already assured the State of Michigan an additional \$12.1 million in title I funds.

The passage of the Hathaway amendment will assure Michigan schools of at least another \$17.8 million over and above the recommendations of President Nixon and the Appropriations Committee.

Mr. Chairman, when many of the children of Michigan are at this very moment wondering whether their schools will have enough money to reopen their doors next September, we simply cannot afford to continue quibbling over these additional funds for education and we cannot afford to back down because of Mr. Nixon's irresponsible threat of a Presidential veto.

Mr. MITCHELL. Mr. Chairman, education is one area where we cannot allow ourselves simply to stand still in our efforts. Yet the appropriations for education contained in H.R. 15417 would mean that, as a consequence of inflation, major programs would be cut back in numerous instances. We know only too well of the effects of the shrinking dollar at the food market and in the home. We cannot allow this blight to spread to the schoolhouse as well. It is for this reason that I rise in support of the package of amendments designed to increase the fiscal year 1973 funding for several vital education programs.

The compensatory education provided to disadvantaged children under title I of the Elementary and Secondary Education Act constitutes the major activity of the Office of Education. Over 12 million children benefit from the programs funded under this title. The additional \$212.5 million beyond what the Appropriations Committee has voted would mean that only one State would have less money for these programs in the upcoming fiscal year than it presently does. Twenty-five States would be faced with a reduction in funds under the committee's appropriation.

Fifty-one million children are served by title II assistance for school libraries. At present, the libraries in 50 percent of our elementary schools and 45 to 67 percent of our secondary schools fail to meet State standards in at least one respect. It is also estimated that 425 million volumes are needed to bring school libraries in line with nationally recognized standards. The additional \$10 million requested for this title will help to prevent us from falling even further behind in this area.

In the field of vocational education, we are again faced with the prospect of a diminution in the funds available to several States. The proposed increase would bring each State back up to last year's level of spending for special vocational education programs, which primarily aid students from urban centers and other economically depressed areas.

For 13 million adult Americans, their failure either to read, speak, or write English adequately represents a substantial impairment of their ability to find and then to maintain employment commensurate with their real ability. The additional money sought in the area of adult education is the basic minimum figure for adequate programs in this vital area.

All of the programs affected by this amendment are of proven worth. The additional \$363 million to be provided for these programs will bring a return far greater than the original investment. I urge my colleagues to support the amendment.

Mr. HULL. Mr. Chairman, several Members have asked me about the ab-

sence of any funds for title III of the National Defense Education Act, a program to help our schools obtain vitally needed equipment and materials to meet priority needs. May I just point out that we are not considering it in the 1973 Labor-HEW appropriations bill because NDEA III was a part of the Education Amendments Act of 1972 which was just passed on June 8, too late for authorized programs to be included for appropriations. Ever since the House Appropriations Subcommittee on Labor-Health, Education, and Welfare, on which I serve, worked on the 1973 education appropriations bill, NDEA III's authorization has been pending in the education amendments of 1972, now awaiting the President's signature. He is expected to sign it, I understand, and thus funding of NDEA III-A and other programs in that bill will come before us at a later date. We all regret the extraordinary delay in the authorizing bill. Because the program is so crucial to our schools, I just want to say I wish the Education Committees of both houses had moved their bill forward more swiftly.

NDEA III in recent years has been subject to much debate and its status hangs today in question since the administration continues to oppose it. The Congress, however, has funded it since its inception 14 years ago and I hope this year will be no exception to that fine record of support. NDEA III is the major program providing funds for schools to purchase instructional media; in fact, it is the only program that can reach all students in all schools in all areas for almost all subjects. NDEA III provides the tools which make learning more efficient, effective, and more individualized. Indeed, it is at the heart of education—in the classrooms of America for the direct benefit of students.

Why then, if it is such a basic program, is it opposed each year? Administration opponents are fond of saying it is not needed, that schools can purchase instructional media under other programs, citing as examples ESEA I and ESEA III. A moment's thought reveals that these programs are aimed at specific problems and that they cannot serve all schools as does NDEA III. Additionally, schools receiving title I funds are encouraged primarily to use those funds for teachers and teacher aids. In fact, in some States such as North Carolina, purchase of instructional media is prohibited under title I by State regulations. NDEA III cannot be replaced by any existing Federal program; there is no program which has its unique feature of serving all students in all schools in such a basic manner.

Another charge often heard is that the goals of NDEA III have been met. Research reveals the contrary. The increasing need for educational media in our classrooms has been documented time and again; in fact, only 20 percent of the Nation's schools can meet the widely accepted school media standards, and media is used only about 5 percent of all instruction time. Even though since 1958 enrollments have increased, schools have been modernized, and costs of instruction have climbed, the appropriation for NDEA III has had to be cut back because

of overriding Federal budget problems. Particularly critical is the fact that NDEA III's program base has been expanded; subjects not heretofore eligible are now covered. And the program's flexibility—another good feature of the program—allows NDEA III funds to be used to help such endeavors as Right To Read. NDEA III is critical to Right To Read, an administration-backed program, since remedial efforts often require intensive use of audiovisual equipment and materials. U.S. Office of Education studies show that NDEA III helps to support about half of the federally funded reading projects under the Right To Read effort.

A third objection often raised against NDEA III is that funds appropriated are not used. Since passage of the "Tydings amendment" in 1970, a provision allowing States and localities to carry over funds from 1 year to the next, OE reports that all funds are indeed used, primarily in the first year of funding. Prior to enactment of this amendment a small amount of NDEA III money, as well as others, was returned to the Federal Treasury. But OE officials maintain that school officials had to return funds because of problems related to late appropriations—not because of inherent flaws in the program.

A recent study entitled "The New Instructional Technologies: Are They Worth It?" following up the 1970 report of the Commission on Instructional Technology has provided further evidence of the need for NDEA III. In this report, Sidney Tickton of the Academy for Educational Development has told the President's Commission on School Finance of the cost-benefits of technology, though conclusive data remains somewhat scattered. But this researcher concludes without reservation that instructional media can be cost effective, that costs of instructional media spread over a reasonable period are not greater than those of traditional methods, and that media should certainly be used to teach the disadvantaged.

Another report issued this month, "The Fourth Revolution: Instructional Technology in Higher Education," outlines the critical need for technology in education—particularly focusing on the future needs in higher education. This study brings me to plead, as I have before, for funding title VI of the Higher Education Act, NDEA III's counterpart. This program has suffered the same plight as NDEA III and in my view should receive a very high priority. College instruction has traditionally been the weakest of all. This report dramatically concludes:

The new technology may provide the single greatest opportunity for academic change on and off campus.

Thus, evidence mounts to convince me that the Congress must continue audiovisual technology as a high priority in education. No advocate of technology in teaching wishes to replace teachers with machines; we must have the human element, too. But, as Sir Eric Ashby has said:

Any technology which increases the rate of learning would enable (as Comenius put it

centuries ago) the teacher to teach less and the learner to learn more.

Is this not, after all, our goal?

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 O'HARA.

The Committee divided, and the tellers reported that there were—ayes 212, noes 163, not voting 58, as follows:

[Roll No. 205]

[Recorded Teller Vote]

AYES—212

Abzug	Forsythe	O'Hara
Adams	Fountain	O'Konski
Addabbo	Fraser	O'Neill
Albert	Fulton	Patten
Alexander	Galifianakis	Pepper
Anderson, Calif.	Gaydos	Pettis
Anderson, Tenn.	Gonzalez	Peyster
Annunzio	Grasso	Pike
Ashley	Gray	Podell
Aspin	Green, Pa.	Powell
Badillo	Gubser	Preyer, N.C.
Baring	Gude	Price, Ill.
Barrett	Hamilton	Pucinski
Begich	Hammer	Purcell
Beicher	schmidt	Quillen
Bergland	Hanley	Randall
Bevill	Hanna	Rangel
Biaggi	Hansen, Wash.	Rees
Blester	Harrington	Reid
Blatnik	Hathaway	Reuss
Boggs	Hawkins	Riegle
Bolling	Hays	Rodino
Brademas	Hechler, W. Va.	Roe
Brasco	Heckler, Mass.	Roncalio
Brinkley	Heinz	Rosenthal
Brooks	Helstoski	Rostenkowski
Brown, Ohio	Henderson	Roush
Broyhill, Va.	Hicks, Mass.	Roy
Buchanan	Hicks, Wash.	Roybal
Burke, Mass.	Hollifield	Runnels
Burton	Horton	Ruppe
Byrne, Pa.	Howard	Ryan
Byron	Hungate	St Germain
Caffery	Ichord	Sarbanes
Carey, N.Y.	Jacobs	Scheuer
Carney	Jarman	Schwengel
Chamberlain	Johnson, Calif.	Seiberling
Chisholm	Jones, N.C.	Shipley
Clark	Jones, Tenn.	Shoup
Clay	Karh	Sisk
Cleveland	Kastenmeier	Staggers
Collins, Ill.	Kazen	Stanton
Conyers	Keating	James V.
Corman	Kemp	Steed
Cotter	Kluczynski	Steele
Culver	Koch	Stokes
Daniels, N.J.	Leggett	Stratton
Danielson	Lent	Stubblefield
Davis, Ga.	Lujan	Symington
de la Garza	McClory	Taylor
Delaney	McCormack	Thomson, Wis.
Dellums	McKinney	Thone
Denholm	Macdonald, Mass.	Tiernan
Dent	Madden	Udall
Diggs	Matsunaga	Van Deerlin
Donohue	Mazzoli	Vander Jagt
Dow	Meeds	Vanik
Drinan	Melcher	Veysey
Dulski	Mikva	Vigorito
Dwyer	Miller, Calif.	Waldie
Eckhardt	Minish	Whalen
Edwards, Calif.	Mink	White
Ellberg	Mitchell	Widnall
Esch	Mollohan	Wilson
Evans, Colo.	Moorhead	Charles H.
Fascell	Morgan	Wolf
Flowers	Moss	Wright
Foley	Murphy, Ill.	Wyatt
Ford	Murphy, N.Y.	Yates
William D.	Nedzi	Yatron
	Nix	Young, Tex.
	Obey	Zablocki
		Zwach

NOES—163

Abbutt	Flood	Nelsen
Anderson, Ill.	Flynt	Pelly
Andrews, N. Dak.	Ford, Gerald R.	Pickle
Archer	Frelinghuysen	Pirnie
Arends	Frenzel	Poff
Ashbrook	Frey	Price, Tex.
Aspinall	Gettys	Quile
Baker	Giaino	Railsback
Bennett	Gibbons	Rarick
Blackburn	Goldwater	Rhodes
Boland	Goodling	Roberts
Bow	Green, Oreg.	Robinson, Va.
Brotzman	Griffin	Robison, N.Y.
Brown, Mich.	Gross	Rogers
Broyhill, N.C.	Grover	Ruth
Burke, Fla.	Haley	Sandman
Burleson, Tex.	Hansen, Idaho	Satterfield
Burlison, Mo.	Harsha	Saylor
Byrnes, Wis.	Harvey	Scherle
Cabell	Hastings	Schmitz
Camp	Hogan	Schneebell
Carlson	Hull	Sebellius
Carter	Hunt	Shriver
Casey, Tex.	Hutchinson	Sikes
Cederberg	Johnson, Pa.	Skubitz
Chappell	Jones, Ala.	Slack
Clancy	Keith	Smith, Calif.
Clausen	King	Smith, Iowa
Don H.	Kuykendall	Smith, N.Y.
Clawson, Del.	Kyl	Snyder
Collier	Landgrebe	Spence
Collins, Tex.	Latta	Stanton
Colmer	Lennon	J. William
Conable	Lloyd	Steiger, Ariz.
Conover	Long, Md.	Stuckey
Conte	McCollister	Teague, Calif.
Coughlin	McCulloch	Teague, Tex.
Crane	McDade	Terry
Daniel, Va.	McFall	Thompson, Ga.
Davis, Wis.	McKevitt	Ullman
Dellenback	Mahon	Waggonner
Dennis	Mallory	Wampler
Derwinski	Mann	Ware
Devine	Martin	Whalley
Dickinson	Mathias, Calif.	Whitehurst
Dorn	Mathis, Ga.	Whitten
Downing	Mayne	Williams
Duncan	Michel	Wilson, Bob
du Pont	Miller, Ohio	Wyder
Edwards, Ala.	Mills, Md.	Wylie
Erlenborn	Minshall	Wyman
Evins, Tenn.	Mizell	Young, Fla.
Findley	Monagan	Zion
Fish	Myers	
Fisher	Natcher	

NOT VOTING—58

Abernethy	Hall	Montgomery
Abourezk	Halpern	Mosher
Bell	Hébert	Nichols
Betts	Hillis	Passman
Bingham	Hosmer	Patman
Blanton	Kee	Ferkins
Bray	Kyros	Poage
Broomfield	Landrum	Fryor, Ark.
Celler	Link	Rooney, N.Y.
Curlin	Long, La.	Rooney, Pa.
Davis, S.C.	McCleskey	Rousslet
Dingell	McClure	Springer
Dowdy	McDonald,	Steiger, Wis.
Edmondson	Mich.	Stephens
Eshleman	McEwen	Sullivan
Fuqua	McKay	Talcott
Gallagher	McMillan	Thompson, N.J.
Garmatz	Mailhard	Wiggins
Griffiths	Metcalfe	Winn
Hagan	Mills, Ark.	

So the amendment was agreed to.

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

Mr. PRICE of Illinois. Mr. Chairman, I move to strike the last word.

Mr. Chairman, today we have an opportunity to improve upon the committee's efforts to maintain a strong Federal commitment of providing educational opportunities for our people despite the less than adequate recommendations of the Nixon administration. For this purpose I must rise to urge every one of my colleagues to consider the vital necessity of adequate educational appropriations and to support the quality education appropriation amendment.

No one can truthfully say that money spent on education is money ill-spent. I

have always personally felt that education of our youth is a critical priority for the future protection of our planet. The problems of the present and the future can only be solved, I feel, by education.

The committee has appropriated \$301,455,000 above the administration's 1973 budget, including almost \$2.5 million extra for impacted aid under Public Law 874 and \$27 million extra for Library Services and Construction Act projects. This is necessary and desirable. Yet the evidence clearly demonstrates that even the committee's generosity would not be enough to adequately provide what is needed for the proper application of our worthwhile Federal educational assistance programs.

According to the committee report, my home State of Illinois would receive, under the basic proposal, \$1,602,478 less for local education agencies in 1973 than in 1972. This is an example of the inadequacy of the basic bill and the need for complementary appropriations.

Mr. Chairman, you can cut back spending in many areas, and I am all for it, but I cannot support reductions in worthwhile educational expenditures. After all, if we can spend an additional \$5 billion in Vietnam for the stepped up bombing and naval blockade, we can certainly spare a few dollars to fund education programs adequately. I will cast my vote for the amendment and urge my colleagues to do the same.

PARLIAMENTARY INQUIRY

Mr. HATHAWAY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HATHAWAY. Has the Clerk started to read the next paragraph?

The CHAIRMAN. The Clerk has not started to read, but at this time 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), \$641,405,000, of which \$615,495,000, including \$41,450,000 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 \$25,910,000, which shall remain available until expended, shall be only for providing school facilities as authorized by section 5 and subsections 14(a) and 14(b) of 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 73 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 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.

MOTION OFFERED BY MR. HATHAWAY

Mr. HATHAWAY. Mr. Chairman, I move to strike the paragraph beginning on line 14, page 19, and ending on line 11, page 20.

The CHAIRMAN. Without objection, the motion is agreed to.

There was no objection.

So the motion was agreed to.

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 5 of Public Law 85-905, \$143,609,000.

MOTION OFFERED BY MR. HATHAWAY

Mr. HATHAWAY. Mr. Chairman, I move to strike the paragraph on page 20, beginning with line 12 and ending with line 15.

The CHAIRMAN. Without objection, the motion is agreed to.

Mr. GROSS. Mr. Chairman, reserving the right to object, what is going on?

The CHAIRMAN. The Chair will be glad to inform the gentleman that the gentleman from Maine (Mr. HATHAWAY) announced he would strike out a certain number of paragraphs to make the bill conform to the controlling paragraph which has just been adopted, and the committee is now taking such action.

Mr. GROSS. Mr. Chairman, I withdraw my reservation.

There was no objection.

So the motion was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

VOCATIONAL AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, section 102(b) (\$20,000,000), parts B and C (\$444,682,000), D, F (\$25,625,000), G (\$19,500,000), H (\$6,000,000), and I of the Vocational Education Act of 1963, as amended (20 U.S.C. 1241-1391), and the Adult Education Act of 1966 (20 U.S.C. ch. 30) (\$51,300,000), \$592,127,000, including \$16,000,000 for exemplary programs under part D of said 1963 Act of which 50 per centum shall remain available until expended and 50 per centum shall remain available through June 30, 1974, and not to exceed \$18,000,000 for research and training under part C of said 1963 Act: *Provided*, That grants to each State under the Adult Education Act shall not be less than grants made to such State agencies in fiscal year 1971: *Provided further*, That grants to each State under the Vocational Education Act shall not be less than grants made to such States in fiscal year 1972.

MOTION OFFERED BY MR. HATHAWAY

Mr. HATHAWAY. Mr. Chairman, I move to strike the paragraph beginning on line 16, page 20, and extending down through line 8 on page 21.

The CHAIRMAN. Without objection, the motion is agreed to.

Mr. QUIE. Mr. Chairman, reserving the right to object, I would like to make a parliamentary inquiry.

The CHAIRMAN. The Chair cannot hear the gentleman.

PARLIAMENTARY INQUIRY

Mr. QUIE. Mr. Chairman, my parliamentary inquiry is this: I have an amendment at the desk which would, on page 21, line 1, strike out the words after "1974" down through the word "Act" on line 3. Is it possible to offer that amendment now that the Hathaway amendment has been adopted?

The CHAIRMAN. It is possible.

AMENDMENT OFFERED BY MR. QUIE

Mr. QUIE. Mr. Chairman, I offer that amendment.

The Clerk read as follows:

Amendment offered by Mr. QUIE:

On page 21, line 1, strike out all that follows after "1974" through the word "Act" on line 3.

The CHAIRMAN. The Chair was of the impression that the amendment offered by the gentleman from Maine had been agreed to, striking out the paragraph to which the amendment is offered.

Mr. QUIE. I did not hear the chairman.

The CHAIRMAN. The Chair thought that amendment had been agreed to, striking out the paragraph. That was the last Hathaway amendment.

Mr. QUIE. In my copy of the Hathaway amendment it was not stricken out. If that is correct, the Hathaway amendment would put a period after "1974" on line 1 and strike out the rest. It was my understanding the Hathaway amendment put a period after the word "Act" on line 3 and struck out the proviso, which is the rest of line 3 down through line 8.

The CHAIRMAN. The Chair would have to rule that the gentleman rose too late. The motion had been offered by Mr. Hathaway, and there was no objection and it was acceded to.

Mr. QUIE. Mr. Chairman, the Chair asked if there was any objection, and I reserved the right to object, which I am still reserving, and on that I asked my parliamentary inquiry.

The CHAIRMAN. The Chair must state that the Chair did not hear the gentleman say he was reserving the right to object on the Hathaway motion.

Mr. QUIE. It was on that reservation that the chairman recognized me.

The CHAIRMAN. The Chair will recognize the gentleman on the basis of his statement which the Chair did not hear.

The Clerk will report the amendment offered by the gentleman from Minnesota.

Mr. FLOOD. Mr. Chairman, I still feel constrained to say the amendment was agreed to.

The Clerk read as follows:

Amendment offered by Mr. QUIE:

On page 21, line 1, strike out all that follows after "1974" through the word "Act" on line 3.

POINT OF ORDER

Mr. FLOOD. Mr. Chairman, a point of order.

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

Mr. FLOOD. Mr. Chairman, my point of order is that the committee has just agreed to this.

The CHAIRMAN. The committee has agreed to what?

Mr. FLOOD. The position taken by my friend, the gentleman from Minnesota (Mr. QUIE). I have here, for instance, that we voted not to exceed \$18 million for research and training, under part C of said 1963 act. Now I had the clear impression, I am sorry to say, that the committee just agreed to this. I am in a strange position now, but I do not think it will last, but that is the way I understand it.

The CHAIRMAN. The Chair will state that the first amendment offered by Mr. HATHAWAY on page 19, was to the para-

graph beginning on line 7 and that amendment was a substitute amendment, and was agreed to.

Now we still have to read each one of the paragraphs of the bill duplicated or modified by the Hathaway amendment, and a perfecting amendment to those paragraphs is in order even though a motion to strike out is first offered.

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, my point of order is if a motion to strike has been made, is it not then out of order to try to amend the paragraph that the motion to strike applies to?

The CHAIRMAN. The Chair would have to rule that a perfecting amendment is in order although a motion to strike is pending. Therefore the Chair rules that the amendment offered by the gentleman from Minnesota (Mr. QUIE) is in order on the basis that it is a perfecting amendment to the paragraph to which the motion to strike is pending.

Mr. QUIE. Mr. Chairman, as you might want to follow along on the amendment again, I will repeat it to you. It is on the top of page 21 of the bill, and there are these words: "June 30, 1974."

My amendment then strikes out the words, "not to exceed \$18 million for research and training under part C of said 1963 act."

The effect of dropping that \$18 million limitation would make the law as it presently reads apply.

Now, if you will go back to page 20, line 18, the Hathaway amendment did not change this, it provides for—parts B and C (\$444,682,000)—

These are basic grants in parts B and C for research money. Fifty percent of the research money the Commissioner is responsible for making the determination on how it is to be expended in each of the States, and 50 percent goes to the States for them to make the determination on how this is to be used for research. This would mean that 10 percent of the \$444,682,000 would be used for part C as the law requires. And I urge you not to put a restriction on that of \$18 million because the effect of what happened last year was that the research money of part C was limited to \$18 million. And there was a colloquy between the gentleman from Illinois, the gentleman from Pennsylvania, and the gentleman from Iowa, and it was the impression at that time that the \$18 million would go to the States for them to use, but instead only \$9 million was used by the States, and that was only after we put pressure on the Office of Education to allocate at least that much to the States.

We need research in occupational education. There is a dramatic need for this kind of research program. There is no other area of education that is in greater need of such a program so that the young people can leave their formal education and secure a job.

The administration asked for the National Institute of Education so they could do more research. Here we have authorization already on the books, and

the Congress fully intended that 10 percent of the money should be used for part C.

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

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

Mr. PUCINSKI. Mr. Chairman, this amendment in no way changes the dollar figures; all it does is bring this appropriation into conformity with the authorization. This House has already established the rule that 10 percent of this money should go for research. That is what the House adopted. What the Committee on Appropriations is doing is putting a limitation on that. I submit that the gentleman from Minnesota (Mr. QUIE), makes a good point, because if you go along with the gentleman from Minnesota all you will be doing is taking care of what is authorized, and would be helping every vocational educational department in every State in the country. You will also be giving the States 50 percent of this to develop research programs of their own at the State level in order to meet the job needs and the career needs, and vocational needs of their students.

So I would suggest to the Members of the House that they should go along with the amendment offered by the gentleman from Minnesota, so that we can assure that the vocational needs across this country will be helped, which are so urgently needed.

I urge that the amendment be agreed to.

Mr. QUIE. I would say in explanation that this does not change the money. It does not increase the appropriation. It merely lets part B and part C be administered and the allocation of money the way the authorization legislation provides.

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

Mr. QUIE. I yield to the gentleman.

Mr. SMITH of Iowa. The gentleman referred to me in his remarks. I thought we had a clear understanding last year, but the department for some reason ignored it.

You and I tried to convince the department that they were misinterpreting the appropriation law and with only partial success.

I agree with what the gentleman said about that situation.

Mr. QUIE. I know that the gentleman wants to do what he believes is necessary to do.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. WILLIAM D. FORD. Is it my understanding that the difference between what you are seeking to do and what the gentleman from Maine seeks to do with the amendment pending is that you want to reinsert or retain in the bill the language starting with "Provided," on line 3?

Mr. QUIE. Oh, no, the gentleman is not correct.

I do not want to reinsert any language that the gentleman from Maine struck out but to strike out language that he retains which changes the in-

tent or changes the authorization legislation.

If we are going to change the authorization legislation, we ought to do it in our committee.

The CHAIRMAN. The time of the gentleman has expired.

(Mr. QUIE was granted permission to proceed for 3 additional minutes.)

Mr. QUIE. But instead, the gentleman will recall, part B and part C are authorized at one figure—90 percent of that figure is to be used for part B and 10 percent for part C.

I believe that is the way we ought to appropriate the money.

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

Mr. QUIE. I yield to the gentleman.

Mr. SMITH of Iowa. The problem the gentleman conceives to be in disagreement with what we are trying to accomplish, but we are confused about how your amendment reads.

It does not seem to do what you say. It looks like all you want to do is to strike out that language and do not want to change the Hathaway amendment so the effect would be a balance of that paragraph down through line 8 which would also be stricken.

Mr. QUIE. That would be the effect.

The adoption of my amendment would not affect the Hathaway amendment. Line 3 would be stricken through line 8. The Hathaway amendment changes the figures on lines 18, 19, and 22 of page 20 and my amendment would not affect that either.

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

Mr. QUIE. I yield to the gentleman.

Mr. O'HARA. The trouble is that the Hathaway amendment is a substitute for all of the language beginning on page 19, line 6 and continuing right on through page 21, line 17. The gentleman's amendment to be effective had to be made to the Hathaway amendment, but the Hathaway amendment has already been adopted and it is too late to amend the Hathaway amendment.

The trouble now is that the gentleman's amendment will not have any effect because the Hathaway amendment has already replaced the language the gentleman is trying to amend.

Mr. O'HARA. Mr. Chairman, I ask unanimous consent that the gentleman be permitted to offer his amendment to the Hathaway amendment.

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

PARLIAMENTARY INQUIRY

Mr. GROSS. Mr. Chairman, reserving the right to object, I should like to propose a parliamentary inquiry.

I should like to inquire how far the Clerk had read in this bill prior to the last amendment?

This bill, in my opinion, has not been read. We are simply adopting amendments without ever having read the bill—not the point of the last amendment offered by the gentleman from Maine (Mr. HATHAWAY).

Mr. Chairman, I submit the bill ought to be read.

The CHAIRMAN. The Chair will state that the Clerk did read each one of the paragraphs on which notice was served by the gentleman from Maine (Mr. HATHAWAY) that he would offer motions to strike if his amendment was agreed to.

Now the Clerk has read the beginning of this paragraph "Vocational and Adult Education."

The same occupant of the Chair made a similar ruling on July 29, 1969, where an amendment in the nature of a substitute for several paragraphs of an appropriation bill had been offered with notice given that motions to strike out the following paragraphs would be made as they were read.

The Chair indicated such paragraphs were subject to perfecting amendments as well as to motions to strike after having been read.

Mr. O'HARA. Mr. Chairman, I withdraw my unanimous-consent request.

PARLIAMENTARY INQUIRY

Mr. QUIE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state the parliamentary inquiry.

Mr. QUIE. Mr. Chairman, it is my understanding that my amendment does nothing to the Hathaway amendment with the exception that it strikes out the language on line 1, page 21, after 1974 down through the word "act."

The CHAIRMAN. The gentleman is partly right and partly wrong.

The motion to strike now pending applies to line 16 on page 20 to line 8 on page 21. The original Hathaway amendment has been disposed of. This is a subsequent amendment, which is a motion to strike. The gentleman from Minnesota can perfect the paragraph by striking out the lines which have been read in his amendment. He is entitled to a vote on it as a perfecting amendment, and the Chair is ready to put the question on the perfecting amendment.

PARLIAMENTARY INQUIRY

Mr. PUCINSKI. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. PUCINSKI. If the Quie amendment is adopted, it will apply to the language in the Hathaway amendment just as it would the language which we are now striking from lines 1 through 3; is that correct?

The CHAIRMAN. The Chair cannot interpret the legal effect. The Chair can only rule on parliamentary procedure and has ruled that the perfecting amendment to the pending paragraph is in order.

Mr. PUCINSKI. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it. The Chair advises that the Chair cannot give the gentleman a legal interpretation.

Mr. PUCINSKI. As I understand, the gentleman from Michigan raised the question that even if you were to adopt this amendment, it would have no meaning in the Hathaway amendment. My understanding is it would, that if this language is dropped from page 21, it will

be similarly dropped from the Hathaway amendment.

The CHAIRMAN. The gentleman is not correct. The original Hathaway amendment was offered at line 5 on page 19. That was the original Hathaway amendment. The gentleman served notice at that time that he would offer motions to strike the remaining paragraphs in order for them to conform to the figures which were substituted in his amendment. So there has been a series of motions to strike paragraphs. We are now on the next-to-last paragraph, and the motion to strike is pending. A perfecting amendment to the paragraph is in order, and the Chair has recognized the gentleman from Minnesota for that purpose. The gentleman has offered it and the Chair is ready to put the question.

Mr. FLOOD. Mr. Chairman, now that this is as clear as things usually are, let us talk about the merits. Usually we do that. Let me tell you about the amendment itself.

It is true that the amendment offered by the gentleman from Minnesota does not increase the appropriations in the bill, but this is what it does do. It does increase the amount which the States will be required to spend for research, exclamation mark! This bill as reported by our committee contains a limitation. We have a limitation in here of \$18 million on the amount which the States must spend for research. That is in here, period. If the gentleman's amendment prevails, do you know what is going to happen? The States will then be required to use 10 percent of their basic grants, they will be required to spend 10 percent of their basic grants for research, whether they like it or not. Under the bill, that would be \$44 million—that is an increase of \$26 million—this \$26 million would have to come out of other vocational educational programs.

In other words, this is it. The gentleman's amendment would increase research at the expense of all the other programs. I do not think there are many Members in this House, Mr. Chairman, who want to vote for that kind of a redistribution of the appropriation.

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

Mr. FLOOD. Of course, I yield to the gentleman from Minnesota.

Mr. QUIE. It is true that if you take 10 percent of the money for research, then they cannot spend some of that money for some of the basic programs. But this will not reduce the amount of money in basic grants from last year. In fact, it will still permit basic grants to be increased just about \$24 million.

Mr. FLOOD. That has nothing to do with the case at all. You know exactly what I am talking about. If you cut 6 inches from the bottom of the blanket to sew it on the top of the blanket, what do you achieve? What you are doing is compelling 10 percent of the grants to States to be used for that purpose. Under your proposal they must spend 10 percent for research, whether they like it or not. These people do not want to do it.

Mr. QUIE. Mr. Chairman, will the gentleman yield further?

Mr. FLOOD. I yield to the gentleman from Minnesota.

Mr. QUIE. That is exactly what the authorization legislation says. If you want to change that, let us change the authorization legislation. That is the way we should do it, rather than on an appropriation bill coming in here with the statement, "We do not think you need it for research." We believe it is needed for research if you are going to use this money in a worthwhile way.

Mr. FLOOD. Now that the Hathaway amendment has been adopted, you are making mandatory that the 10 percent be spent for research and that it must come out of other funds. It must come out of other funds because you are not adding any money. You are doing some hanky-panky with the bill.

Mr. QUIE. I am not doing the hanky-panky. You did the hanky-panky.

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

The distinguished chairman of this subcommittee failed to state that whichever way we distribute this money, it still goes to the States. We are not short-changing anybody. We are not taking anything away. But it was the State vocational administrators who came before our committee, before my subcommittee, and asked specifically that 10 percent of this money be set aside for research, so they can come in with more realistic, meaningful programs.

We have developed 5,000 new skills in this country in the last 10 years, so these vocational education people want to develop courses and curricula to keep pace with these changing times and changing needs in vocational education.

This is not something the gentleman from Minnesota and I dreamed up. This is something the vocational educational people asked for, so we put it in the authorization bill. Now the Appropriations Committee comes along and says, "You people did not know what you were doing. We are going to set a maximum of \$18 million." What we are saying is go back to what the vocational education people have asked for. They have asked for 10 percent, half of that goes to the States. They will develop curricula. The other half remains with the Commissioner and he will develop curricula in cooperation with the States.

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

Mr. Chairman. I want to try to get clear what is being done. I address a question to the gentleman from Minnesota (Mr. HATHAWAY): On page 21, line 3, of the bill, the language thereafter, from line 3 through line 8 is stricken by the amendment the gentleman offered; is that correct?

Mr. HATHAWAY. No. That was included in my amendment.

Mr. GROSS. So that language is in the bill?

Mr. HATHAWAY. That is correct. After my motion to strike the language was made, the gentleman from Minnesota (Mr. QUIE) objected so he could intro-

duce his amendment. So my amendment language has to be perfected by striking this language.

Mr. GROSS. Does the gentleman strike the language and then reintroduce it by virtue of his motion?

Mr. HATHAWAY. My amendment included some of the language that is already in the bill.

Mr. GROSS. The amendment that was adopted earlier?

Mr. HATHAWAY. Yes, that is correct.

Mr. GROSS. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. QUIE).

The amendment was rejected.

The CHAIRMAN. The question is on the motion to strike the language on page 20, line 16, through line 8 on page 21, offered by the gentleman from Minnesota (Mr. HATHAWAY).

The motion was agreed to.

AMENDMENTS OFFERED BY MR. GOLDWATER

Mr. GOLDWATER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GOLDWATER: On page 20, line 15—

Mr. FLOOD. A point of order, Mr. Chairman. We have gone by this.

The CHAIRMAN. That is correct. The Chair will rule that the gentleman's amendment is not in order.

Mr. GOLDWATER. Mr. Chairman, I was on my feet.

Mr. FLOOD. Regular order.

Mr. GOLDWATER. Mr. Chairman, the section was read and I was on my feet seeking recognition and the Chair passed over that section and did not recognize me for my amendment.

The CHAIRMAN. If the Chair did not see the gentleman, the Chair apologizes. However, that section has been taken care of and we cannot go back, unless the gentleman asks unanimous consent to go back. The Chair will entertain that kind of request.

Mr. GOLDWATER. Mr. Chairman, I ask unanimous consent that we go back and reopen that section.

Mr. O'HARA. I object, Mr. Chairman.

The CHAIRMAN. Objection is heard. Regular order is demanded.

The Clerk will read.

The Clerk read as follows:

LIBRARY RESOURCES

For carrying out, to the extent not otherwise provided, titles I (\$47,270,000), II, and III (\$2,730,000) of the Library Services and Construction Act (20 U.S.C. ch. 16); and title II (\$90,000,000) of the Elementary and Secondary Education Act; \$149,500,000, of which \$9,500,000, to remain available through June 30, 1974, shall be for grants for public library construction under title II of the Library Services and Construction Act.

MOTION OFFERED BY MR. HATHAWAY

Mr. HATHAWAY. Mr. Chairman, I offer a motion.

The Clerk read as follows:

Mr. HATHAWAY moves to strike the language beginning on page 21, line 9, through line 17.

The CHAIRMAN. The question is on the motion.

Mr. CONTE. Mr. Chairman, did the Chair recognize me?

The CHAIRMAN. The Chair also saw

the gentleman from Maine on his feet and knew he had an amendment. Is this another motion to strike sections?

Mr. HATHAWAY. Yes; it is, Mr. Chairman.

The CHAIRMAN. The Chair was attempting to give preference to recognizing the gentleman from Maine to offer motions to strike the sections relating to his previously adopted amendment.

The CHAIRMAN. The question is on the motion offered by the gentleman from Maine.

The motion was agreed to.

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

Mr. Chairman, during the last few days, as the contents of H.R. 15417, the Labor-HEW appropriations bill, were reviewed back home, I received a number of inquiries from my constituents asking why no funds were included for title III of the National Defense Education Act of 1958. A number of other Congressmen have received similar calls, so therefore, as a member of the subcommittee responsible for this bill, I feel it appropriate to enter an explanation at this point in the RECORD.

NDEA III is authorized for an additional 3 years in S. 659, the Educational Amendments Act of 1972, which was enacted too late for any appropriations to be considered for the various programs included.

Therefore, our subcommittee had no opportunity to include NDEA III or any higher education programs in H.R. 15417. This fact in no way prejudices NDEA III; nor does it indicate, as some have suggested, that there will be no funds this year for NDEA III.

It is entirely possible that when the Labor-HEW appropriations bill is taken up by the Senate Labor-HEW Subcommittee that they could add the funds there. Our subcommittee has already received testimony on NDEA III and we would be prepared to consider the Senate's recommendation in conference.

NDEA III is a valuable 50-50 matching program which has proved to be one of the most successful. The need for continuing NDEA III has been amply demonstrated by witnesses before our subcommittee so I am hopeful we will be able to fund, at least at last year's level in the near future.

Mr. Chairman, I think it is important that, whenever possible, we try to move school program funding forward as rapidly as possible so that administrators have adequate time to plan. This is certainly true in the case of NDEA III and I hope that something can be worked out this month to continue this valuable program.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

EDUCATIONAL RENEWAL

For carrying out, to the extent not otherwise provided, titles VII and VIII of the Elementary and Secondary Education Act, part B-1 of the Education Professions Development Act, section 309 of the Adult Education Act, as amended, part IV of title III of the Communications Act of 1934, 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, \$219,190,000, of which \$13,000,-

000 shall be for educational broadcasting facilities and shall remain available until expended.

AMENDMENT OFFERED BY MR. BADILLO

Mr. BADILLO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BADILLO: On page 22, line 2, strike out "\$219,190,000" and insert "\$234,190,000" and before the period in line 4 insert the following: "and of which \$60,000,000 shall be for carrying out Title VII of the Elementary and Secondary Education Act."

Mr. BADILLO. Mr. Chairman, when the Congress enacted the Bilingual Education Act 5 years ago it gave clear recognition to the fact that foreign language-speaking children were being seriously cheated educationally and virtually neglected by typical American teaching methods and practices. For many years students who spoke languages other than English—in most cases Spanish—were treated as disadvantaged, handicapped, or even retarded. Oftentimes these children were punished for speaking their mother tongue and they were forced into conforming with an alien culture. They were frequently placed in classes for the retarded as they could not cope with placement tests and other standardized educational devices conducted in English. In other cases they were relegated to remedial classes and were usually not permitted to pursue academic or college-preparatory courses but vocational programs. Believe me as I speak from personal experience.

However, the Bilingual Education Act held out some hope to these youngsters and the Congress made a commitment to afford full and equal educational opportunities to children with limited English-speaking ability and raised in surroundings in which the dominant language is Spanish, French, Greek, Portuguese, or one of the American Indian or Eskimo tongues.

The Bilingual Education Act was subsequently incorporated into the Elementary and Secondary Education Act as title VII. Programs funded under title VII promote the development and implementation of bilingual/bicultural education programs, the teaching of English as a second language, the teaching of the students' mother tongue as the native language, the establishment of programs aimed at providing Spanish-speaking and other foreign language-speaking children with a basic knowledge and appreciation of their culture and heritage and the recruitment of qualified teaching personnel.

Regretably the Congress has failed to match its words with action as historically bilingual education programs have been consistently underfunded. In fiscal year 1969, for example, the Congress appropriated only \$7.5 million, just 25 percent of the authorization. This was barely enough money to adequately fund programs for less than 1 percent of the approximately 5 million children who were estimated to be in desperate need of special bilingual education. For the succeeding 4 fiscal years the story has been basically the same and this year we are confronted with an appropriation figure which is just barely more than 30 percent

of the authorization, even though the need is far more critical today than when the bilingual program was initiated. By failing to approve more significant increases in title VII funds the Congress has simply retreated from the goals envisioned in the Bilingual Education Act and has done little to encourage the development and expansion of bilingual education.

Because of the severe shortage in title VII funds, the U.S. Office of Education was only able to approve 49 new projects for the current fiscal year—about 26 percent of the total applications it received for new programs. The Office of Education was able to approve project plans for only six New York City school districts. These programs will benefit an estimated 7,300 students. However, consider the fact Spanish-speaking children in the New York City public school system who, because of severe language handicaps, are not receiving a meaningful education.

I am often questioned as to how the lack of bilingual education affects the learning process of foreign language-speaking children. A good example is the almost insurmountable problems being experienced by Puerto Rican children in New York City—although their difficulties are also being repeated by Puerto Ricans in Philadelphia, various communities in New Jersey, Cleveland, Chicago; by Chicanos in Los Angeles, San Francisco, and countless communities in Texas, Arizona, and New Mexico; by French-speaking children in Maine; and by oriental language speaking children on the west coast and in New York.

Half of the Puerto Rican population in New York is school age; although a large percentage are not attending school. The dropout rate boggles the imagination—an estimated 87 percent of Puerto Ricans over the age of 25 in the city of New York have not completed their high school education. Of those Puerto Ricans 25 years of age and over living in one of New York City's 26 poverty areas, the average student has completed only 8.3 years of school as compared with the median of 12.1 years for the city population as a whole and 11.8 years for nonwhites. In this same age category only 15 percent earned high school diplomas.

Earlier this month Mr. Louis Nufiez, former executive director of Aspira of America and currently the Acting Deputy Staff Director of the U.S. Civil Rights Commission, made a very revealing and timely presentation to the House Civil Rights Oversight Subcommittee. He reported, for example, that the number of students with serious to severe language difficulties in New York City in October 1970 was 135,000 or 11.3 percent of the school population. Puerto Rican children represent 70 percent of these students. More than 1 out of every 3 Puerto Rican pupils—38.7 percent—has a serious to severe language difficulty.

Mr. Nufiez also shared with the subcommittee the disorienting, depressing, and discouraging experiences foreign language-speaking children undergo in school. They do not understand their teachers or school books; guidance counselors offer advice only in English; Spanish language testing is virtually nonexistent; and some school systems persist in

placing foreign language-speaking children in the lowest tracks or in educationally mentally retarded classes without adequate testing in the mother tongue.

I raise these statistics and problems only to demonstrate that we are not even beginning to effectively cope with the problem. We must take affirmative action to insure that foreign language-speaking children are not educationally cheated and barred from entry into the mainstream of American life. It is clear that significantly increased funds are urgently required if the needs of Spanish-speaking and other foreign language-speaking children are to be met.

The amount of financial support for bilingual education requested by the administration—less than even one-third of the authorization—can only be interpreted as a standing affront to the millions of foreign language-speaking schoolchildren in this country. According to the Office of Education only 25 new projects, serving an additional 20,000 children, could be funded at this level.

I am indeed pleased that the Appropriations Committee had the foresight to raise this figure by more than \$3 million and commend its members for taking this action. However, the need is critical and much more must be done. Therefore, the amendment I am offering will increase title VII appropriations by \$15 million to a level of \$60 million. This figure is still less than half of the \$135-million authorization and, in view of the great need for effective bilingual/bicultural education, the amount called for in my amendment is really rather modest. Nevertheless, with a total appropriation of \$60 million an estimated 110 new projects could be mounted and approximately 90,000 more children—almost double the present number—could be reached. Further, by raising this appropriation we will be renewing our commitment to providing meaningful bilingual education to those requiring it and providing the wherewithal to enable the Office of Education to expand the programs to areas now denied such aid or with only a limited number of programs. The Office of Education, working with grossly insufficient funds, has made some attempts to achieve a degree of balance in the allocation of title VII funds. Unfortunately, however, it has been at the expense of needy children. We simply cannot cut off one area or State to serve another as such action would defeat the basic principles underlying the Bilingual Education Act. The solution is to approve increased appropriations.

Mr. Chairman, approximately one-third of this body has constituents who are currently participating in one of the 213 bilingual education programs funded under title VII. I urge that they and our other colleagues give this issue full, careful and sympathetic consideration and that they support my amendment to give these foreign language speaking children an opportunity to reap the full benefits of citizenship and to overcome language handicaps. It is a fact that we live in a multilingual/multicultural environment and all elements of the community must be given full respect and the chance to participate on an equal footing. Increased support for bilingual/bicultural

education will be a significant advance in this direction.

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

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

Mr. RYAN. Mr. Chairman, I commend my distinguished colleague from New York for offering this amendment to increase the funding for bilingual education—a program which is essential to the development of our Spanish-speaking schoolchildren—as well as other non-English-speaking children.

This amendment to the Labor-HEW appropriations bill for fiscal year 1973 would appropriate an additional \$15 million for bilingual education programs funded under title VII of the Elementary and Secondary Education Act. This would bring the appropriations for bilingual education under this title up to \$60 million, although the authorization for fiscal year 1973 is \$135 million. The administration budget request was for \$41,130,000, and the committee's recommendation is for \$45 million.

The Bilingual Education Act was originally funded in the 90th Congress under title VII of ESEA. However, the funding for this program has never been realistic in light of the large number of children who stand to benefit from this type of assistance. As an original sponsor of this act, I have repeatedly stressed the need for raising the funding level.

Only \$7.5 million was appropriated for fiscal year 1969, despite the fact that \$30 million had been authorized. The appropriation was increased to \$21.25 million for fiscal year 1970, although the authorization had been for \$40 million. The appropriation was again increased for fiscal year 1971 to \$25 million, an amount that was \$55 million below the authorization level. And the \$35 million appropriated for fiscal year 1972 is \$65 million less than the amount authorized.

I have introduced legislation each year, beginning in 1969, to provide supplemental appropriations for the bilingual education program. In 1969, I introduced a measure to provide a supplemental appropriation of \$22.5 million for title VII for fiscal year 1969, a figure that would have brought the appropriation figure up to the amount authorized. In 1970, I introduced a bill calling for a supplemental appropriation of \$18.75 million to bring the appropriation figure up to the level of the authorization. In 1971, I again introduced a bill to increase the appropriation for title VII, by \$55 million, a figure that represented the difference between the amount authorized and that appropriated for fiscal year 1971. And this year, I again introduced legislation, H.R. 12424, cosponsored by 10 Members of the House, to provide a supplemental appropriation of \$65 million for fiscal year 1972 to bring the appropriation up to the authorization level of \$100 million.

Not only is the amount of Federal funding for bilingual education programs totally insufficient, but another inequity exists as well—namely, the distribution of funds that are made available. For example, under this program in 1970, New York State received \$1.5 million, California \$7.2 million, and Texas \$4.7 million.

That these allocations were inequitable is clearly seen when we examine the number of Spanish-surnamed children in school in those States in 1970: New York had 300,000, California 500,000, and Texas 600,000.

A recent New York City Board of Education study justifiably criticizes the manner in which funds are distributed under title VII of the ESEA, and states that allocations are extremely competitive and vulnerable to political pressure, and that committees from Texas and California have been far more organized, visible, and voluble.

In meetings which I arranged for members of the New York congressional delegation, the Office of Education conceded that New York State and New York City have been shortchanged in the past in the allocations of funds for bilingual education programs. Unfortunately, the Office of Education has not taken the necessary steps to remedy this situation, for the figures for continuation costs for bilingual education programs for fiscal year 1972 illustrate that this inequity is being continued—California will receive almost \$8.5 million, Texas \$6.1 million, while New York will be given only \$2.9 million. The money for these programs is being concentrated in certain regions of the country, while other areas, particularly New York State and New York City, lack the resources to meet adequately the needs of children who need this type of assistance. No justification has been offered by the Office of Education for this disparity; indeed, as I have pointed out, the Office of Education has admitted that inequities do exist and that they should be corrected.

There is yet another issue involved in the failure to provide bilingual education programs for those children who need this aid. Those school districts that do not provide this type of help are failing to comply with title VI of the Civil Rights Act of 1964 which prohibits discrimination on the basis of national origin in federally assisted programs.

On January 21 of this year, I wrote to John G. Veneman, Under Secretary of the Department of Health, Education, and Welfare, requesting a full report on a study conducted by HEW's Office of Civil Rights regarding noncompliance with title VI of the 1964 Civil Rights Act. The Office of Civil Rights found that 50 school districts throughout the Nation are failing to comply with civil rights laws because they deny Spanish-speaking citizens equal opportunity to learn.

The requirements of title VI as they relate to school districts enrolling national origin group students were set forth in a memorandum issued by HEW on May 25, 1970. The memo, written by the Director of the Office for Civil Rights, J. Stanley Pottinger, states that—

Where inability to speak and understand the English language excludes national origin-minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students.

The memo further states that—

Any ability grouping or tracking system employed by the school system to deal with

the special language skill needs of national origin-minority group children must be designed to meet such language needs as soon as possible and must not operate as an educational dead-end or permanent track.

Therefore, title VI specifically requires school districts with significant numbers of non-English-speaking children to take whatever steps are necessary, including the provision of linguistically competent educational services, to prevent the exclusion of such children from participation in and the full benefits of the educational programs of the school children.

Clearly, numerous school districts throughout the country are not fulfilling this directive. They are not providing adequate assistance to the thousands of schoolchildren who need it. For example, in a speech before the U.S. Civil Rights Commission on February 15 of this year, New York State commissioner of education Ewald B. Nyquist stated that according to the most recent New York City school census, there are 160,815 children who have English language difficulties, 94,800 of whom are Puerto Rican pupils with moderate to severe language handicaps. Yet a recent New York City Board of Education study estimates that only 4,418 non-English-speaking students of Spanish background had some kind of bilingual instruction in the last school year.

It has been estimated that 86 percent of the Puerto Rican students in New York City may be below normal reading levels and it has been documented that their dropout rate is the system's worst—57 percent compared with 46 percent for blacks and 29 percent for other groups. While Puerto Rican pupils account for 25 percent of the New York City school population, only one Puerto Rican in a hundred received an academic diploma. Twelve percent of Puerto Ricans of college age pursue a higher education, while 45 percent of college age people in the general population go on to college.

The staff report of the U.S. Civil Rights Commission, dated February 1972, and entitled "Public Education for Puerto Rican Children in New York City," concluded that higher dropout statistics and below-average reading scores clearly indicate that the needs of educationally disadvantaged students, particularly those who are Spanish-speaking, with moderate to severe English language difficulties, are not being met in the public schools of New York City.

If only \$45 million for bilingual education programs is appropriated, approximately 20,000 additional children will be able to benefit from these programs. However, if we raised the appropriation to \$60 million an additional 90,000 children will be given the opportunity to benefit genuinely from the educational experience. I, therefore, urge support of the amendment.

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

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

Mr. BIAGGI. Mr. Chairman, I rise in support of the amendment offered by the gentleman from New York (Mr. BADILLO), which would increase bilingual education funds by \$15 million, for

a total appropriation for the program of \$60 million.

There are approximately 3 million children who have been estimated to need special bilingual education, but at the present time only 100,000 children in the entire country are served. These children are from a variety of backgrounds: Children of Italian, Albanian, Greek, Puerto Rican, Mexican, Cuban, Oriental, American Indian, French, and Portuguese parentage who urgently require this special assistance.

When the Congress passed the Bilingual Education Act 5 years ago it demonstrated its recognition of the fact that foreign-language speaking children were being seriously shortchanged and neglected by the educational process. The amendment offered by the gentleman from New York (Mr. BADILLO) would serve to carry out the intentions of the act by providing the necessary funds to do the job properly.

While I support this amendment, I do not feel that the emphasis of such a program should be directed exclusively to one group as the gentleman from New York (Mr. BADILLO) has indicated in his statements on the floor. I believe that this program should incorporate not only the Puerto Rican community, but the other minority groups as well.

I urge my colleagues to support the amendment offered by the gentleman from New York (Mr. BADILLO) in order that this program may be funded at a level which will enable it to benefit all of the minority groups I have mentioned. In this way, these children will be able to enter the mainstream of American life. Their language barrier will no longer prohibit them from participating in the daily activities which other children already enjoy.

Mr. BADILLO. The gentleman is correct in his statement, and I thank him for his assistance.

The CHAIRMAN. The time of the gentleman from New York has expired.

(On request of Mr. EDWARDS of California, and by unanimous consent, Mr. BADILLO was allowed to proceed for 3 additional minutes.)

Mr. BADILLO. Mr. Chairman, I just want to say to the gentleman from New York (Mr. BIAGGI) that I agree with the gentleman completely. I only used the Spanish-speaking children as an example of what I meant, but the need for bilingual programs is equally there for those of Greek, Portuguese, or Chinese, Japanese, Filipino, or French ancestry, as well as other groups, and this also would cover the American Indians and the Eskimos.

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

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

Mr. BURTON. Mr. Chairman, I want to commend the distinguished gentleman from New York (Mr. BADILLO) for his continued leadership in this area, and I wish to associate myself with his remarks. This vital amendment must be approved.

In addition to the Spanish-speaking communities of our country, this added funding is needed to expand this program for the Japanese, Chinese, and Filipino communities.

I urge my colleagues to vote "aye" on this amendment.

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

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

Mrs. ABZUG. Mr. Chairman, I want to commend the gentleman for raising this extremely important issue that is so necessary not only to many students in the New York area, but is equally of importance to students all over this country.

Mr. Chairman, I support the amendment which would appropriate an additional \$15 million for the bilingual education program under title VII of the Elementary and Secondary Education Act. Last year, only \$35 million of the authorized \$100 million was appropriated; further, the Nixon administration had the impounded \$10 million of that sum until several Members, including myself, pressured them about it back in December. This year, the Appropriations Committee has proposed \$45 million for bilingual education. While this is an improvement, it is barely a drop in the bucket in comparison with the authorization for 1973, which is \$135 million, and with our needs, which are even greater than the authorized sum.

There are 5 million children in this country, 600,000 of them in my own State of New York, who are in need of bilingual educational assistance. Presently, only 100,000 of that 5 million are being served by programs under title VII, and the additional appropriation proposed for the coming year would add only 35,000 more.

We must increase these funds, which represent a direct and clearly identifiable commitment to the struggle of Chicanos, Puerto Ricans, Chinese, American Indians, and other linguistic minorities for equal educational and equal social opportunity all over this country. The funds contained in this amendment are needed to begin to make the promise of education a reality for all children regardless of whether English is their primary or secondary tongue, and I urge the adoption of this amendment.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

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

Mr. DON H. CLAUSEN. Mr. Chairman, I rise in strong support of the amendment by the distinguished gentleman from New York, (Mr. BADILLO) to provide \$15 million additional to our bilingual education programs.

Enhancement of bilingual education is vital if we are to be able to provide equal opportunities for all Americans including those for whom English is their second language.

I have been pleased to support fully the bilingual education effort ever since former Secretary of Health, Education, and Welfare, Robert Finch was able to get the program moving and bring it to its present effective level.

Language is a simple but fundamental reflection of cultural heritage. By presenting educational opportunities in their native language to those from non-Anglo cultures we offer both increased opportunities for advancement within

our American society as well as protection for their cultural background.

Our Nation has grown strong by learning from and incorporating the strengths of the diverse groups which have come to our shores—some seeking haven; some seeking opportunity. Bilingual education programs are a small but important means to retain that strength and maintain our growth as a free people.

Therefore, I strongly urge prompt passage of the Badillo amendment.

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

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

Mr. KOCH. Mr. Chairman, I wish to commend the gentleman from New York for offering his amendment. There is such a program in my district, and I know that it is very helpful, and that we should extend these programs and make them available to many more children who would gain from a bilingual program.

Mr. GREEN of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. BADILLO. I yield to the gentleman from Pennsylvania.

Mr. GREEN of Pennsylvania. Mr. Chairman, I rise in support of the amendment proposed by the gentleman from New York. The amendment would increase the appropriation in the committee bill by \$15 million. The additional funding would bring the appropriation just under half of what was authorized. I do not think this is asking too much.

The money is sorely needed not only for new bilingual education projects, but for expansion of existing projects as well. In Philadelphia, for example, there are 85,000 Spanish-speaking people and 9,000 Spanish-speaking schoolchildren in desperate need of bilingual training. The Philadelphia School Board receives calls daily from principals seeking help for newly enrolled Spanish-speaking students. The number and need is continually increasing.

But the Philadelphia school system has not been able to open new projects or expand existing projects in order to meet these ever increasing demands. In fact, during fiscal year 1972, no money was allocated in the entire State of Pennsylvania for new projects, and, in Philadelphia, the amount for existing projects was \$200,000 less than sought. As a result, the English second language program failed to meet the needs of the students, because there was not enough teachers. In Philadelphia, we have been unable to establish much needed bilingual day care centers and cultural centers for bilingual material, nor could we begin a planned Spanish adult education program.

This is a tragic situation, Mr. Chairman. It is a situation in which children are being effectively denied a decent education and a fair start in life. And the reason for this denial, this injustice, is clear: We in the Congress have not met our responsibilities with respect to adequately funding bilingual education. With this amendment we can begin to meet that obligation. This amendment addresses itself to a special situation. Some may question it for that reason. But I be-

lieve that special attention is called for. Where I come from, the children affected most by this amendment have always been given special treatment by society. They are especially poor and have an especially difficult time finding jobs. They live in especially bad housing and are frequently forced to pay especially unfair rents. The schools these children attend are in especially sad condition. Those this amendment helps, need special help. And everything just—everything human, everything fair dictates that we respond with special concern.

Mr. EDWARDS of California. Mr. Chairman, will the gentleman yield?

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

Mr. EDWARDS of California. Mr. Chairman, I rise in support of the proposed amendment to increase the appropriation for bilingual education programs. As chairman of the Civil Rights Oversight Subcommittee of the Committee on the Judiciary, I have just completed a series of hearings on the educational problems of the Spanish speaking. The testimony presented to my subcommittee at these hearings is an indictment of the failure of our Nation's schools to reach and properly educate Spanish-speaking students.

The U.S. Commission on Civil Rights has conducted a comprehensive study of the education of Mexican-Americans in the Southwest and of mainland Puerto Ricans in the Northeast and has found that Spanish-speaking students are burdened with the problems of ethnic isolation, educational failure, and cultural exclusion. The Commission has found, in the five Southwestern States studied, that Mexican-American students are achieving at a lower rate than Anglo students; they drop out of school at an earlier age; their reading achievement is poorer; repetition of grades is more frequent; overage is more prevalent; and their participation in extracurricular activities is less than that of Anglo students.

The reasons for this failure of school systems to educate chicano students in the Southwest is clear. The Civil Rights Commission has reported that the school districts studied in the Southwest have almost universally failed to recognize the rich cultural history and traditions of the chicano community. In many schools use of the Spanish language is discouraged and no effort is made in the school curriculum to provide chicano students with a knowledge of their rich heritage. The result is frustration, discouragement, and alienation experienced by Mexican-American youth to the extent that four out of 10 chicano students leave high school without graduating.

The Bilingual Education Act, passed by the Congress in 1968, was intended to provide a partial answer to the educational problems of Spanish-speaking students. Bilingual education is a vehicle which permits non-English-speaking children to develop to their full potential as bilingual, bicultural Americans. In a bilingual education program all subjects are presented in the native language of the student, with an emphasis on the history and culture of the child whose first language is other than Eng-

lish. When such a program works effectively, the non-English-speaking child learns two languages and two cultures, while the English-speaking child receives the same bilingual and bicultural abilities and sensitivities.

Bilingual education has been acclaimed by educators. The tragedy is that the programs initiated under the Bilingual Education Act have reached so few Spanish-speaking students. In the five Southwestern States studied by the Civil Rights Commission only 1.9 percent of eligible Spanish-speaking students were receiving bilingual education. The reason for this is clear. The administration regards the bilingual education program as a pilot effort, one not intended to be fully implemented by the Federal Government. I see no validity for this claim. In passing the Bilingual Education Act the Congress stated that bilingual education was being provided in recognition of the special educational needs of non-English-speaking students and to provide financial assistance to local educational agencies to develop and carry out new elementary and secondary school programs designed to meet these educational needs (21 U.S.C. sec. 880b). The Congress authorized appropriations of \$250 million for the first 4 years of the program, yet the President has requested only a minuscule fraction of this. In 1971 the President requested only \$10 million for bilingual education programs, while the Congress appropriated \$25 million. In 1972 the President requested \$25 million, while the Congress appropriated \$35 million. The present request is \$41 million and the proposed appropriation is \$45 million.

This amount, Mr. Chairman, is totally insufficient to provide the needed expansion of bilingual education programs for the Spanish-speaking students in this Nation. The Federal Government must act to end the massive educational retardation of Spanish-speaking students. As we have addressed ourselves to antibusing legislation in this Chamber, many have claimed that the answer to educational problems is not to be found in busing, but in the development and implementation of good compensatory education programs. It is the height of hypocrisy to make this claim and then continue to deny adequate funding for one of the most hopeful and successful programs for improving the educational achievement of the Spanish-speaking student.

I hope that those of us in this Chamber who really are interested in dealing with educational problems will support the proposed amendment to provide increased funding for bilingual education.

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

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

Mr. ROYBAL. Mr. Chairman, as one of the original authors of the Bilingual Education Act I am pleased to rise in support of the amendment being offered by the gentleman from New York (Mr. BADILLO).

When the Congress acted upon the bilingual education legislation some 4 years ago we declared that foreign-language speaking children must no longer

be cruelly deprived of equal educational opportunities. In enacting this measure we hoped to meet the pressing educational needs of the millions of children who suffer from severely limited English-speaking ability and who are raised in environments in which the dominant language is not English but perhaps Spanish, French, Greek, Portuguese, or one of the American Indian or Eskimo dialects, or any other language other than dialects, or any other language other than English.

Unfortunately, however, the goals which we envisioned at that time have not been realized but have been seriously handicapped by the lack of sufficient funds. During the program's first fiscal year, for example, just 25 percent of the amount authorized was appropriated. Since that time we have seen the same sad story repeated year after year.

This year the administration came to us with a request to appropriate just barely 30 percent of the amount previously authorized. At this level only 25 new bilingual programs could be mounted. Consider these numbers in comparison with the 185 requests for new projects which the Office of Education received last year alone. Consider the fact that, at the level proposed by the administration, only an estimated 123,000 children will be reached by bilingual education as compared with the estimated 5 million children who are in need of this assistance. Such an attitude displays a clear lack of a substantive commitment to effectively deal with the problem and to encourage and expand bilingual-bicultural programs.

The amendment offered today is really rather modest. By adding \$15 million to the \$45 million approved by the Appropriations Committee we will at least be able to implement many new programs and reach many more than the present number of students participating in bilingual projects. Furthermore, the Congress will have the opportunity to reaffirm its commitment to the principles established in the Bilingual Education Act.

Mr. Chairman, bilingual-bicultural education not only provides an opportunity for non-English-speaking children to fully enjoy the rights and privileges of citizenship, but can become a national asset of tremendous value—if we but develop it as such.

Bilingualism pursued as a national goal would affirm our belief in a pluralistic and free society enriched by our various cultures and languages.

I urge my colleagues to join with me in supporting the pending amendment.

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

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

Mr. ANDERSON of California. Mr. Chairman, I wish to commend the gentleman from New York for his leadership in this field, and I urge support of his amendment which would provide an additional \$15 million for the bilingual education program designed to meet the unique educational needs of children who have limited English-speaking ability, and who come from an environment

where the dominant language is not English.

Because of this language barrier, many bright students are dulled and cannot compete in an Anglo society.

According to a December 1971, U.S. Commission on Civil Rights report:

Out of every 100 Mexican American youngsters who enter first grade, only 60 graduate from high school. In contrast, 86 out of every 100 Anglos remain in school and receive high school diplomas.

Mr. Chairman, the Mexican-American child can learn as well and as fast as any child, but not if he or she does not comprehend the language. And the fact is that an estimated 1 out of 5 Spanish-speaking Americans is illiterate in English.

The Bilingual Education Act was designed to meet this challenge and insure that foreign-language speaking children are not educationally cheated.

However, we have not adequately funded this program. For fiscal year 1973, the administration requested \$41 million. The Appropriations Committee deserves our thanks for increasing this level to \$45 million.

Yet, much more can be done with adequate funding. In fiscal year 1972, only 26 percent of those school districts which applied for a new program were approved.

The Badillo amendment would increase funding to \$60 million, thus, an estimated 110 new projects could be implemented and approximately 90,000 more children could be served by the program.

Mr. Chairman, I support this amendment and I urge my colleagues to join with me in this step toward removing the unnecessary barriers of language which have deprived our society of the fruits of many intelligent students who were forced to drop out because they did not understand the language of their teacher, the textbooks, nor their fellow students.

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

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

Mr. DELLUMS. Mr. Chairman, I would like to commend the gentleman in the well on his very important amendment, and I wish to associate myself with his remarks, and urge the adoption of the amendment.

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

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

Mr. PUCINSKI. Mr. Chairman, I rise in support of this amendment.

The Chairman, this is an important amendment and I rise in its support. An estimated 75 percent of Spanish-speaking children do not finish high school because of language barriers. The Badillo amendment would increase funding for the Bilingual Education Act.

In 1967 it was my privilege to serve as chairman of the subcommittee which wrote the Bilingual Education Act, presently title VII of the Elementary and Secondary Education Act. Congress accepted our work in 1967 because of the obviously enormous need for bilingual education programs for the 5 million

children who were estimated by the Office of Education to have limited English-speaking ability.

Our foresight in 1967 has been proven by time. Those children who are now participating in bilingual education programs are for the first time in their lives being given a true opportunity to receive an adequate education. No longer will they be handicapped by limited English-speaking ability in their strivings to secure a proper place in American life. And all of us deserve credit for that accomplishment. You have helped thousands of Spanish-speaking children learn English and be able to continue their education.

But this opportunity is only being made available to a pitifully small number of children. The Office of Education estimates that, with the present year's appropriations for the Bilingual Education Act, only 2 percent of the children which need such instruction will actually be benefiting by bilingual education. The Office also estimates that because of the sparsity of funds only one-fourth of the applications received from school districts are being funded. If more funds were available I am sure that far more school districts would eagerly seize upon this opportunity to provide good bilingual education programs for the 98 percent of the children who are not now being served.

I would like to congratulate the Appropriations Committee for its empathy for these children. The committee has increased the appropriations for bilingual education by \$10 million over that of the present fiscal year, but this increased appropriation will only permit funding of new programs to reach an additional 35,000 children. This increase in funds will not even be sufficient to reach another 1 percent of the children in need of these programs.

Therefore, Mr. Chairman, I enthusiastically support the Badillo amendment which would make an additional \$15 million available for bilingual education. The Badillo amendment in conjunction with the committee increase will permit us to almost double the number of children served. We would double it to 4 percent of the children in need.

All other things being equal, I would say that even the Badillo amendment is totally inadequate; but I am a great believer in trying to achieve what is possible and I believe that at this particular time all that we can try to do is secure this increase of \$15 million. In terms of this entire bill, this increase is a pittance but it will allow us to do so much.

In addition to the need for new funds I would like to comment upon another problem with the Bilingual Education Act, namely, the inequitable distribution of funds. In Illinois we have 200,000 Spanish-speaking children, many of whom live in Chicago; but last year we received only \$220,000 in Federal funds. This amounts to about \$1 per child which is less than the amount per child which Texas and California received.

I am fully aware of the enormous needs existing among the Spanish-speaking people in the Southwest, but I would like to remind the Office of Education of the problems facing the Spanish-speaking in

the other States. For instance, the statistics on the lot of Puerto Ricans in this country are staggering. One of every two Puerto Rican families has an income of less than \$4,000 a year. One out of every 10 Puerto Ricans in the labor force is unemployed as compared to 1 out of every 22 for the community as a whole. And lastly 7 out of every 10 who are employed have low-wage, low-skilled, low-status positions. And these people are concentrated in the States which the Office of Education is ignoring in its distribution of funds.

I would urge the Office to recognize these facts and to more equitably distribute these bilingual education funds so that all the Spanish-speaking people in our country will at least have an even chance to make a better living.

It is ironic that while Illinois ranks fifth in the number of Spanish-speaking children in the United States, Illinois ranks 20th in terms of funds received from title VII. This inequity must be corrected.

Mr. FLOOD. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment offered by the gentleman from New York (Mr. BADILLO).

Now, Mr. Chairman, I do not have the impression that this is Daniel walking into the lion's den by a long shot. Apparently all of those, I hope, who support this amendment have been vying with each other to be next to talk on it since it was offered. I did not know I would get mixed up in the New York primary, but you know how those things are.

They are my good friends, these fellows are my friends, but keep this in mind, take a look at those fellows and then take a look at me. I spoke Spanish before many of these fellows were born, and I was raised and went to school with chicanos before you fellows ever heard the word.

I am a strong supporter, and this committee is a strong supporter of bilingual education. Do not forget that. We have nurtured it year after year. However, Mr. Chairman, I believe that the committee has made ample provision in the bill for bilingual education programs. If you will look at pages 50 and 51 of the report, you will see that we have provided \$45,000,000 for bilingual education programs under title VII of the Elementary and Secondary Education Act. That is an increase of \$3,870,000 over the budget request and an increase of \$10,000,000, or 28 percent over the 1972 appropriation. I should add that the 1972 appropriation for this program represented an increase of 40 percent over 1971.

Do you think we are not in favor of this? You are out of your mind.

There is undoubtedly a much greater need for bilingual education than could ever be met through this particular program. The Office of Education told us in our hearings this year that there are another 230,000 children enrolled in bilingual education classes supported by local, State, and Federal funds other than the title VII program.

It seems obvious that the Federal Government cannot support all bilingual education, any more than it can be the sole

source of support for education of the handicapped or any other special group.

The Federal Government's role here, as in so many other areas, is to find out and demonstrate what works best; to produce materials that can be used in school systems all over the country; and to provide a base on which other schools and the States can build.

Finally, Mr. Chairman, the education amendments which we cleared for the President last Thursday, authorize an appropriation of \$1 billion for fiscal year 1973 for emergency school aid.

The CHAIRMAN. The time of the gentleman has expired.

(Mr. FLOOD asked and was given permission to proceed for 2 additional minutes.)

Mr. FLOOD. Under this law that you just passed last Thursday, 1, 2, 3, 4 percent of the appropriations for that emergency school aid is reserved for bilingual education.

Under the circumstances, I do not think it is necessary or desirable to have more money than what we have included in the bill. It is not necessary and you should not do it. I do not blame these fellows, but they are wrong.

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

Mr. McKINNEY. Mr. Chairman, I rise in support of Mr. BADILLO's amendment to add an additional \$15 million to the budget recommended by the Appropriations Committee for bilingual education programs.

According to Office of Education figures, approximately 5 million children in the United States need to be instructed bilingually. The question I asked myself as I was reviewing this legislation was, how many children who need this instruction actually receive it? In 1972 at a funding level of \$35 million, federally funded bilingual education programs reached 107,000 children. That is not much. Combined with State and local programs, we find an additional 230,000 children enrolled in such programs. That is twice 107,000, but next to 5 million we still have a long, long way to go.

The committee bill added an additional \$10 million to the 1972 budget bringing the 1973 level to \$45 million. What that means is that 55 to 60 new programs could be funded serving an additional 35,000 children.

If we passed the Badillo amendment which called for an addition of \$15 million to the committee recommendation of \$45 million, we can almost double the number of children now receiving bilingual education. I believe there is an urgency surrounding our need to substantially increase the funding for these programs. Let me use the city of Bridgeport in my district to illustrate the magnitude of the problem.

In Bridgeport, 22 percent of the elementary school students are Spanish speaking. Now we have been lucky in Bridgeport because we have a Federal grant of \$85,000. However, let me tell you about that grant. It funds a kindergarten program reaching 250 children. But these children move on to the first grade in a year, yet the bilingual program does not. It is a kindergarten program and it will remain a kindergarten

program until we can find a way to raise another \$85,000 for a similar program for first grade students.

Let me go one step further and tell you that in Bridgeport 13 percent of our high school student body is Spanish speaking. Somewhere along the line, more than 50 percent of our Spanish-speaking students drop out of school. It does not stretch the imagination too much to realize that there is not much incentive for a child remaining in school if he cannot understand what is being said, let alone understand the print in his books.

Mr. YATES. Mr. Chairman, I move to strike out the last word and rise in support of the amendment.

Mr. Chairman, I have been hearing the same speech from the distinguished chairman of the Appropriations Subcommittee for the last 3 years. I know that because I have offered amendments to increase the funds for the bilingual program over the last 3 years and in each instance he has taken the floor to make the same speech. Such speeches do not speak to the facts or alter the facts respecting the enormous need for additional money for the bilingual program.

The fact is that there are 5 million children of Spanish-speaking families in this country. The present bilingual education appropriation takes care of approximately 83,000 of them. Where is the equity in that?

From what the chairman said, you would think that there were adequate funds in this bill. Yes, there has been an increase in this bill—an increase that should have been made years ago, but it is still inadequate.

The authorization for this program exceeds \$100 million. Yet, in this bill there is made available only—what amounts?—\$45 million—not even half of the funding this program deserves.

The plain fact is that Spanish-speaking children all over the country are being deprived of equal opportunities to obtain an education, the same opportunities that their American counterparts receive.

The gentleman from Florida made the same speech last year about having learned to speak Spanish before any of us even knew or heard about these programs.

That may be true, but the gentleman was lucky enough to learn to speak English as well and to become an integral part of the American community as a result of being able to speak English. That same opportunity is not available to the children of Spanish-speaking families. It would be available if there were more money in this bill.

Mr. Chairman, this is a good program. It will open the door to a better life for thousands of young children if we provide the funds. Do not close that door. Let us support the amendment offered by the gentleman from New York. I urge the House to do so.

AMENDMENT OFFERED BY MR. O'HARA TO THE AMENDMENT OFFERED BY MR. BADILLO

Mr. O'HARA. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from New York (Mr. BADILLO).

The Clerk read as follows:

Amendment offered by Mr. O'HARA to the amendment offered by Mr. BADILLO: In the Badillo amendment strike out "\$234,190,000" and insert "\$259,190,000," and at the end of the Badillo amendment insert: ", and of which \$25,000,000 shall be for carrying out the Environmental Education Act".

Mr. O'HARA. Mr. Chairman, my amendment is a very simple one. It would raise the amount appropriated for environmental education by \$25 million—the full funding level originally proposed by the Congress at the time it passed the Environmental Education Act of 1970.

In offering this amendment, I wish to commend the members of the Labor-HEW Subcommittee on Appropriations for having the good sense to go beyond the President's recommendation with respect to this program.

The administration had asked the Congress for only \$3.18 million to fund this vital program for fiscal 1963. This amount was only about one-eighth of what we had in mind when we passed this legislation. The committee almost doubled this amount—recommending an appropriation of \$6 million. This is a vast improvement over the President's proposal. But it simply does not go far enough.

There is a critical need for an environmental education program in this country if we are to do the job that needs to be done in cleaning up our air, land, and water. Environmental education involves everyone—teachers, public service personnel, community leaders, labor representatives, industry officials, and government employees at State, Federal, and local levels. It offers the first—and most important—link in the chain of getting people working together, pooling their resources to save the Nation's ecology. The brief history of environmental education has been one of instantaneous acceptance across the country. Records made public by the Office of Education, which is charged with the responsibility for carrying out this program, showed there was an instant response which indicated the eagerness of Americans to participate in such a program.

Only one out of 25 applications received by the Office of Education has been approved because of the low level of funding for this program. Up to now, it seems, our promises to do something have outstripped our willingness to back up those promises with cold, hard cash.

We have heard the administration's repeated calls for action in this field. Two years ago, in his environmental message to the Congress, the President declared:

The task of cleaning up our environment calls for a total mobilization by all of us. It involves government at every level; it requires the help of every citizen.

This Congress showed its willingness to become involved in the battle to save the ecology when it passed the Environmental Education Act of 1970—and passed it, I might add, on a bipartisan basis.

We must show our renewed willingness to do battle on this front today by increasing the appropriation for this program to its full-funding level—and, again, by doing so on a bipartisan basis.

Mr. FLOOD. Mr. Chairman, I would like to have Members' attention so they will see what they are doing. We were talking about bilingual education. There is no question that it certainly is a popular program. We have God, country, and Yale—and now ecology. Wow. What are you against? Motherhood? This bill already provides over \$4 million for this very line item, right now—environmental education. The gentleman knows that very well.

This is an increase of \$820,000 over the budget and over the 1972 appropriation. Mr. Chairman, this is one of many categorical grant programs for specific purposes which have been authorized by Congress and which are funded through this bill. We have never bothered to count them, but I am sure they number in the hundreds. Each of those programs has its own advocates. Most of them have funding authorizations far in excess of the amounts Congress is likely to appropriate in the foreseeable future. We could not possibly fully fund all of these authorizations, even if we wanted to.

The advocates for this particular program are especially vigorous. And, of course, anything with the name "environmental" or "ecological" attached to it is very popular these days.

Mr. Chairman, the committee has always looked with favor on this program. We have given it favorable treatment again this year. We have not cut it.

On the contrary, we have increased it over the budget request and over the current year appropriation.

Mr. Chairman, I think the committee recommendation permits a reasonable rate of expansion for this program, and therefore I oppose the amendment.

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

I just want to simply underscore on the latter point that we are increasing in this bill those environmental project grants from 125 to 160. That is orderly progress. I think to pile onto that the additional money in the amount suggested by the gentleman from Michigan is just an unconscionable amount.

If I may briefly review for the Members now, the various programs in which we have funds for bilingual education: \$24 million in title I, ESEA; \$9 million in title III, ESEA; and \$41,130,000 in title VII, ESEA; and \$7 million Follow Through for bilingual; and \$3 million for adult education.

As the chairman commented, under the Emergency School Assistance Act, 4 percent of \$1 billion will come up in a supplemental, and that is \$40 million on top of \$84 million.

That is \$124 million in the field of bilingual education alone.

I think we certainly ought to stick with the committee on this item. You have all had your fun and have all kinds of things to talk about with the folks back home about how much you have increased this bill. I have added it up. With this amendment, if it is adopted, we will have \$1,316,000,000 over the budget before it goes over to the other

body—and without the higher education items.

I wonder how many of you here will be willing to stand up for a tax increase one of these days to fund these increases in spending? Usually the ones voting to spend more and more are the first to run for cover when we talk about additional taxes required to pay the bill.

I would plead with you to vote down this additional add on.

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

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

Mr. YATES. Mr. Chairman, the gentleman correctly points out the amount in the authorizations for bilingual programs. But authorizations mean little without adequate funding. The fact remains that no matter how high the authorizations go, the Appropriations Committee continues to keep down the funding to woefully inadequate levels.

Mr. MICHEL. Of course, we must. If we are going to have simply an authorizing figure prevail, we could have the authorizing and appropriating in one step. We did away with the procedure a number of years ago. We contend that we take a good look at these items, and we looked over them for a period of 3 months, and then to have the Members toss that all down the drain simply because Members are all running for reelection and want to make a few points back home—it does get a little discouraging. Again, I ask the committee to support us on this item.

Mr. ROSTENKOWSKI. Mr. Chairman, I rise in strong support of the amendment to the Labor-HEW appropriations bill, H.R. 15417, proposed by my colleague from New York, HERMAN BADILLO. This amendment provides an opportunity to support, expand, and improve our national programs of bilingual education.

Approximately 3 million children have been estimated to need special education, yet only 100,000 children in the entire country are being served because funds are not available. This amendment provides an additional \$15 million. With these new funds we will be able to mount about 100 new programs and reach approximately 90,000 more children. These funds can help us meet the urgent and growing need for programs of bilingual education.

One of the recipients of this worthwhile bilingual education program is the Thaddeus Kosciuszko, which is in my congressional district. This program prepares pupils for entry into the regular curriculum and provides onsite teacher training programs, as well as summer courses and workshops. We must continue to support these programs for the benefit of our children and of our communities. Bilingual education programs are not only a necessary step in meeting an immediate need, but an insurance policy for the future of this country.

The amendment before us represents a step further in the progress we are making to resolve the problem of bilingual education. It deserves the support of this body and I wholeheartedly endorse its adoption.

Mr. DON H. CLAUSEN. Mr. Chairman, I rise in strong support of the amendment by the distinguished gentleman from New York (Mr. BADILLO) to provide \$15 million additional to our bilingual education programs.

Enhancement of bilingual education is vital if we are to be able to provide equal opportunities for all Americans including those for whom English is their second language.

I have been pleased to support fully the bilingual education effort ever since former Secretary of Health, Education, and Welfare Robert Finch was able to get the program moving and bring it to its present effective level.

Language is a simple but fundamental reflection of cultural heritage. By presenting educational opportunities in their native language to those from non-Anglo cultures we offer both increased opportunities for advancement within our American society as well as protection for their cultural background.

Our Nation has grown strong by learning from and incorporating that the strengths of the diverse groups which have come to our shores—some seeking haven; some seeking opportunity. Bilingual education programs are a small but important means to retain that strength and maintain our growth as a free people.

Therefore, I strongly urge prompt passage of the Badillo amendment.

Mr. RANGEL. Mr. Chairman, I rise to support the Badillo amendment which would add \$15 million to the present \$45 million earmarked for bilingual education programs funded under title VII of the Elementary and Secondary Education Act.

Bilingual education is designed to meet the unique needs of Puerto Rican, chicano, and other youngsters whose native tongue is not English. The main problem with the program has been that the Office of Education has not had enough money to take care of the needs of all Spanish-speaking children and has concentrated its limited funds primarily in the Southwest to the neglect of those in the Northeast.

A regional comparison of allocation of title VII funds reveals that the 2½ million Spanish-speaking people in New York, representing over 13 percent of the State's population, are victims of a severe imbalance in funding between the Northeast and the Southwest as the following tables reflect:

EXAMPLE OF INEQUITIES IN DISTRIBUTION FORMULA FOR TITLE VII FUNDS

State	Spanish-surnamed public school enrollment	Title VII appropriation (fiscal year 1970)	Per pupil amount
New York.....	263,799	\$1,494,059	\$5.66
New Jersey.....	46,063	535,000	1.16
Massachusetts.....	8,733	378,508	4.33
Illinois.....	68,917	200,000	2.90
California.....	646,282	7,231,886	11.19
Texas.....	505,214	4,791,481	9.48
New Mexico.....	102,994	992,607	9.64
Colorado.....	71,348	389,290	5.46

Source: DHEW and U.S. Civil Rights Commission, March 9, 1971.

MISCELLANEOUS FACTS ON BILINGUAL EDUCATION

[Source: Bilingual Education Division, U.S. Office of Education]

- There are a total of 214 Title VII programs:
 - a total of 45 programs are identified as Puerto Rican.
 - a total of 135 programs are identified as Chicano.
- The 45 Puerto Rican projects—primarily on the East Coast—serve approximately 20,000 children.
 - Average Cost per Project=\$270,000.
 - Average Cost per Child=\$504.00.
- The 135 Mexican-American projects—primarily in the Southwest with a few in the Mid West—serve approximately 55,000 children.
 - Average Cost per Project=\$280,000.
 - Average Cost per Child=\$509.00.
- State/Regional Project Comparison:

SOUTHWEST PROJECTS	
California.....	59
Arizona.....	8
New Mexico.....	12
Texas.....	42
Total.....	121

NORTHEAST PROJECTS	
New York.....	26
New Jersey.....	4
Connecticut.....	3
Pennsylvania.....	2
Massachusetts.....	6
Total.....	41

The Badillo amendment would provide sufficient funds to the Office of Education so that more projects in the Northeast region also could be funded. I am not suggesting that the funds be given just to the Northeast States nor am I suggesting that funds be cut from the programs in California, Arizona, New Mexico, or Texas. Rather I am supporting the Badillo amendment so that all quality bilingual programs may be approved and funded.

In view of the limited amount of funds now available, for example, the Office of education was only able to approve some six projects in New York City. While these six programs benefit some 7,300 pupils, there has been a great deal of concern because there are over 250,000 Spanish-speaking pupils there who have severe language handicaps and are in need of assistance. An indication of this tremendous need is the overall dropout rate: Over 87 percent of those Spanish-speaking persons over 25 never completed high school. The inability of these men and women to communicate effectively in the English language prevents their full participation in the political and social struggle in the country and denies their access to meaningful employment.

It must be emphasized that bilingual education is not simply the teaching of English as a second language.

It does considerably more by providing children an appreciation of the history and culture associated with their language.

For too many years educators treated students who spoke languages other than English as handicapped or retarded, punishing them for speaking their mother tongue. By stifling the child's self-ex-

pression in his own native tongue, educators also did injury to his sense of identity and self-esteem.

Fortunately, about 5 years ago a number of farsighted Congressmen and Senators introduced the Bilingual Education Act which was subsequently incorporated into the Elementary and Secondary Act as title VII and enacted into law.

Unfortunately, the ideals of the sponsors of this legislation have never been realized and have been thwarted by lack of sufficient funds. Authorization levels have been sufficient but appropriation levels have been worse than stingy.

I find it ironic that many of my colleagues point out with pride they support bilingual education but neglect to mention the consistently inadequate sums they support it with. It is remarkable that millions of dollars are spent to encourage pupils to learn foreign languages—with Spanish being the most popular choice—and that at the same time many of my colleagues continue to consistently underfund bilingual education.

During fiscal year 1971, 158 Bilingual Education projects proposals were submitted to the Office of Education. Of these, only 33 were funded, all at reduced levels because of monetary limitations. In New York State, only eight of the 33 proposals submitted were funded. During fiscal year 1972, only 49 of the new applications received were funded. Nationwide that amounted to only about 26 percent of the total received.

Congress today has the unique opportunity to fulfill its commitment made to Puerto Rican, Mexican-American, and other foreign language speaking children. The administration requested only \$41 million. The Appropriations Committee wisely increased the amount to \$45 million. At this level an estimated 35,000 more children would be helped in some 50 or so new projects. The Badillo amendment proposes a modest \$15 million increase to \$60 million so that 110 new projects involving about 90,000 more children could be reached.

I strongly urge my colleagues to adopt this modest increase to \$60 million so that we can realistically demonstrate our commitment to providing full and equal educational opportunities to those of our children whose native tongue is other than English.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. O'HARA) to the amendment offered by the gentleman from New York (Mr. BADILLO).

The amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. BADILLO).

The question was taken; and the Chairman announced that the noes appeared to have it.

TELLER VOTE WITH CLERKS

Mr. BADILLO. Mr. Chairman, I demand tellers.

Mr. MYERS. Regular order, Mr. Chairman.

The CHAIRMAN. The regular order is that the gentleman from New York demanded tellers.

Tellers were ordered.

Mr. BADILLO. Mr. Chairman, I demand tellers with clerks.

Tellers with clerks were ordered; and the Chairman appointed as tellers Messrs. FLOOD, DELLUMS, BADILLO, and MICHEL.

The Committee divided, and the tellers reported that there were—ayes 144, noes 205, not voting 83, as follows:

[Roll No. 206]

[Recorded Teller Vote]

AYES—144

Abzug	Fascell	Obeys
Adams	Foley	O'Hara
Addabbo	Ford	O'Konski
Alexander	William D.	Patten
Anderson	Frey	Pepper
Calif.	Fulton	Pettis
Annunzio	Goldwater	Pickle
Archer	Gonzalez	Price, Ill.
Ashley	Grasso	Pucinski
Aspin	Green, Pa.	Purcell
Badillo	Gude	Railsback
Barrett	Hamilton	Rangel
Beigh	Hanna	Rees
Biaggi	Harrington	Reid
Boggs	Hathaway	Reuss
Boland	Hawkins	Riegle
Bolling	Hechler, W. Va.	Rodino
Brademas	Helstoski	Roe
Brasco	Hicks, Mass.	Roncalio
Burke, Mass.	Horton	Rosenthal
Burton	Howard	Rostenkowski
Byrne, Pa.	Hungate	Roy
Caffery	Hunt	Roybal
Carey, N.Y.	Jacobs	Runnels
Chisholm	Johnson, Calif.	Ryan
Clausen	Karth	St Germain
Don H.	Kastenmeier	Sarbanes
Clay	Kazen	Seiberling
Collins, Ill.	Keith	Sisk
Collins, Tex.	Koch	Stanton
Conyers	Leggett	James V.
Corman	Lujan	Steele
Cotter	McClory	Stokes
Culver	McCormack	Symington
Daniels, N.J.	McFall	Teague, Calif.
Danielson	McKinney	Udall
de la Garza	Madden	Vanik
Dellums	Matsunaga	Veysey
Derwinski	Meeds	Waldie
Diggs	Melcher	Whalen
Donohue	Mikva	White
Dow	Minish	Wilson
Drinan	Mink	Charles H.
Duiski	Minshall	Wolf
du Pont	Mitchell	Wright
Dwyer	Moorhead	Wylder
Eckhardt	Moss	Yates
Edwards, Calif.	Murphy, Ill.	Young, Tex.
Eilberg	Nedzi	Zablocki
Esch	Nix	

NOES—205

Abbott	Camp	Erlenborn
Anderson, Ill.	Carlson	Evans, Colo.
Andrews, Ala.	Carney	Evins, Tenn.
Andrews, N. Dak.	Carter	Findley
Arends	Casey, Tex.	Fish
Ashbrook	Cederberg	Fisher
Aspinall	Chamberlain	Flood
Baker	Chappell	Flowers
Baring	Clancy	Flynt
Belcher	Clawson, Del.	Ford, Gerald R.
Bennett	Cleveland	Forsythe
Bergland	Collier	Fountain
Betts	Conable	Frelinghuysen
Bevill	Conover	Gallianakis
Blester	Conte	Gaydos
Blackburn	Coughlin	Gettys
Bow	Crane	Glaimo
Brinkley	Daniel, Va.	Gibbons
Brooks	Davis, Ga.	Goodling
Brotzman	Davis, Wis.	Gray
Brown, Mich.	Dellenback	Green, Oreg.
Brown, Ohio	Denholm	Griffin
Broyhill, N.C.	Dennis	Gross
Buchanan	Dent	Gubser
Burke, Fla.	Devine	Haley
Burleson, Tex.	Dickinson	Hammer-
Burlison, Mo.	Dorn	schmidt
Byron	Downing	Hanley
Cabell	Duncan	Hansen, Idaho
	Edwards, Ala.	Hansen, Wash.

Harvey	Mazzoli	Shoup
Hastings	Michel	Shriver
Hays	Miller, Ohio	Sikes
Heckler, Mass.	Mills, Ark.	Skubitz
Heinz	Mills, Md.	Smith, Iowa
Henderson	Mizell	Smith, N.Y.
Hicks, Wash.	Mollohan	Snyder
Hogan	Monagan	Spence
Hull	Morgan	Staggers
Hutchinson	Murphy, N.Y.	Stanton
Ichord	Myers	J. William
Jarman	Natcher	Steed
Johnson, Pa.	Nelsen	Stratton
Jonas	Passman	Stubblefield
Jones, Ala.	Pelly	Stuckey
Jones, N.C.	Pike	Taylor
Jones, Tenn.	Powell	Terry
Keating	Preyer, N.C.	Thompson, Ga.
Kemp	Price, Tex.	Thomson, Wis.
King	Quie	Thone
Kuykendall	Quillen	Tierman
Kyl	Randall	Ullman
Landgrebe	Rarick	Vander Jagt
Latta	Roberts	Vigorito
Lent	Robinson, Va.	Waggonner
Lloyd	Robison, N.Y.	Wampler
Long, Md.	Rogers	Ware
McCollister	Roush	Whalley
McCulloch	Ruppe	Whitten
McDade	Ruth	Widnall
McKevitt	Sandman	Williams
Macdonald	Satterfield	Winn
Mass.	Saylor	Wyatt
Mahon	Scherle	Wyle
Mallary	Schmittz	Wyman
Mann	Schneebell	Yatron
Martin	Schwengel	Young, Fla.
Mathias, Calif.	Scott	Zion
Mathis, Ga.	Sebelius	Zwack
Mayne	Shipley	

NOT VOTING—83

Abernethy	Hagan	Patman
Abourezk	Hall	Perkins
Anderson	Halpern	Peyser
Tenn.	Harsha	Pirnie
Bell	Hébert	Poage
Bingham	Hillis	Podell
Blanton	Holifield	Poff
Blatnik	Hosmer	Pryor, Ark.
Bray	Kee	Rhodes
Broomfield	Kluczynski	Rooney, N.Y.
Broyhill, Va.	Kyros	Rooney, Pa.
Byrnes, Wis.	Landrum	Roussellot
Celler	Lennon	Scheuer
Clark	Link	Slack
Colmer	Long, La.	Smith, Calif.
Curlin	McCloskey	Springer
Davis, S.C.	McClure	Steiger, Ariz.
Delaney	McDonald	Steiger, Wis.
Dingell	Mich.	Stephens
Dowdy	McEwen	Sullivan
Edmondson	McKay	Talcott
Eshleman	McMillan	Teague, Tex.
Fraser	Mailliard	Thompson, N.J.
Frenzel	Metcalfe	Van Deerlin
Fuqua	Miller, Calif.	Whitehurst
Gallagher	Montgomery	Wiggins
Garmatz	Mosher	Wilson, Bob
Griffiths	Nichols	
Grover	O'Neill	

So the amendment was rejected.

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

Mr. Chairman, I wish to propound some questions to the distinguished chairman of the subcommittee, the gentleman from Pennsylvania (Mr. FLOOD) so as to clarify a few points about the appropriation item under the heading "educational renewal," which is on page 50 of the committee report.

Allow me if you will, also to preface my questions with the observation that several members of the Committee on Education and Labor have been concerned for several months about an Office of Education proposal for renewal strategy, or renewal sites, or renewal programs, or renewal centers—the Office of Education itself has not been able adequately to explain this renewal concept.

Indeed, because it was evident that no legislative authority for such a program existed, the conferees on S. 659, the Edu-

cation Amendments of 1972, which now await the President's signature, expressly prohibited the so-called renewal strategy until OE had received legislative authority from Congress for it.

Mr. Chairman, I point out, also, that because the education amendments established a new National Institute of Education, to support research in education, the conferees amended the Cooperative Research Act to reflect the new organization of our educational research efforts.

Now, my question for my distinguished colleague from Pennsylvania is that as I understand the appropriation item entitled, "educational renewal," it is merely a new grouping, a new arrangement of existing categorical appropriations, and that the item, therefore, in no way changes the manner in which Congress expects these categorical appropriations to be used. Am I correct in that understanding?

Mr. FLOOD. The gentleman from Indiana is correct.

Mr. BRADEMAs. That is to say, then, to go a step further, that this appropriation in no way authorizes a renewal strategy, or renewal sites, or centers, or whatever else the Office of Education calls this program?

Mr. FLOOD. The gentleman is correct.

Mr. BRADEMAs. In which case then, if the gentleman will bear with me for a moment longer, this appropriation in no way authorizes the Office of Education to "package" categorical grant programs which the Congress designed to meet specific needs?

Mr. FLOOD. That is correct.

Mr. BRADEMAs. I thank the distinguished chairman of the subcommittee.

AMENDMENT OFFERED BY MR. YATES

Mr. YATES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. YATES: On page 22, line 4, change the period to a semicolon and add the following: "Provided that the funds herein appropriated for bilingual education under the Bilingual Education Act shall be distributed in accordance with the authority contained in Section 703(b) of said Act requiring that the Commissioner shall give highest priority to states and areas within states having the greatest need for programs under the Act, and that such priority shall take into consideration the number of children of limited English-speaking ability between the ages of three (3) and eighteen (18) in each state; and provided further that such distribution of funds shall be made without regard to the provisions of Section 704(a) of the Bilingual Education Act that distribution be 'from families (A) with incomes below \$3,000 per year, or (B) receiving payments under a program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act', and of Section 704(c) of the Bilingual Education Act that distribution be 'from families (A) with incomes below \$3,000 per year, or (B) receiving payments under a program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act.'"

POINT OF ORDER

Mr. FLOOD. Mr. Chairman, I make a point of order against the amendment.

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

Mr. FLOOD. Yes, Mr. Chairman, and very briefly.

Mr. Chairman, the length of this amendment should speak for me rather than for itself.

Mr. Chairman, it is very clear and I read now from Cannon's Procedures in the House of Representatives, page 46, which reads as follows:

Any deviation however slight from the text of existing law.

It says that no deviation however slight. This is certainly that, if you heard it as I did. I had a copy of the amendment and I read it carefully in some detail.

Mr. Chairman, I could not make it any plainer if I wrote it myself.

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

Mr. YATES. Yes, Mr. Chairman.

Mr. Chairman, I conceive of this amendment as being a limitation on an appropriation bill in determining the manner in which funds be spent. I, therefore, think it is in order.

The CHAIRMAN (Mr. HOLIFIELD). The Chair is ready to rule. The amendment does not restate existing law but changes existing law. Therefore, it becomes legislation on an appropriation bill, and the Chair sustains the point of order.

AMENDMENT OFFERED BY MR. YATES

Mr. YATES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. YATES: at page 22, line 4, change the period to a semicolon and add the following: "Provided that the funds herein appropriated for bilingual education under the Bilingual Education Act shall be distributed in accordance with the authority contained in Section 703(b) of said Act requiring that the Commissioner shall give highest priority to states and areas within states having the greatest need for programs under the Act, and that such priority shall take into consideration the number of children of limited English-speaking ability between the ages of three (3) and eighteen (18) in each state;"

POINT OF ORDER

Mr. FLOOD. Mr. Chairman, I make a point of order to the amendment on the ground it is obviously legislation on an appropriation bill. The amendment applies to a specific provision of the act, and any time you do that, that is patently, obviously, and clearly legislation upon an appropriation bill.

Mr. YATES. Mr. Chairman, I think the gentleman is indulging in double talk. I do not quite understand what his point of order is. This is a repetition of the statute itself and is therefore completely clear.

Mr. FLOOD. There is a deviation.

Mr. YATES. There is not a deviation. It is an actual quotation.

Mr. FLOOD. There was a slight change, which was ruled on by the Chair in ruling on the point of order, and it is out of order for that reason.

The CHAIRMAN (Mr. HOLIFIELD). The Chair is ready to rule. The language of the gentleman's amendment states that the Commissioner shall give the highest priority to States and areas within the States having the greatest

need for the program under the act. But the amendment goes further and also states that the funds in the pending bill shall be distributed in accordance with the authority contained in section 703 of the act. While the statute states priorities, the amendment is mandatory and directs the Commissioner to follow those priorities. It thus goes beyond the law, is a modification of existing law, and is, therefore, legislation.

Mr. YATES. Mr. Chairman, will the Chair indulge me and permit me to read what the act states?

The CHAIRMAN. The Chair has just read the act. The gentleman may read it again.

Mr. YATES. Here is what the act states. I read from section 703:

In determining distribution of funds under this title, the Commissioner shall give highest priority to States and areas within States having the greatest need for programs under this title. Such priority shall take into consideration the number of children of limited English-speaking ability between the ages of 3 and 18 in each State.

I incorporated that language in my amendment, Mr. Chairman, and I am not deviating from it. I am following the act and asking that the funds be allocated in accordance with the authority of that section.

The CHAIRMAN. The gentleman's language is different from the language in the act although it is similar. There is a mandate in the gentleman's language that the funds shall be distributed in accordance with the priorities stated in the act, and the statute only says the Commissioner shall give the highest priority to States and areas within the States having the greatest need for programs pursuant to this title. Therefore, the Chair finds that the amendment carries a stronger mandate than that in the statute and is, therefore, legislation on an appropriation bill.

The Chair, therefore, sustains the point of order.

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

Mr. Chairman, I do not intend to take the 5 minutes. There was purpose to my offering my first amendment. I consider the present bilingual education act most unfair in requiring that funds distributed under that act be distributed in greatest part to families, that earn less than \$3,000 a year or are on welfare. That is a most unrealistic provision. In my district, and I think in most districts of the country, any person who works for a living must make more than \$3,000 a year. It operates most unfairly on working families because they do not qualify under the language of that act. Thus, children of Spanish-speaking families are barred from obtaining the help they need if their parents earn more than \$3,000 a year. How unfair.

It is my purpose to bring this to the attention of the Education and Labor Committee, with which I have filed an amendment and with which I have sought a hearing, asking that those provisions be stricken. I shall continue to press for that hearing and for a change in the law.

The mandate of the bilingual education program is clear. It is to provide an education for all children regardless of income who need the special benefits that the act provides. The act applies to all children. If they lack skills in English as they all do, the income limitation operates to create an unfair and artificial barrier to their hopes and aspirations.

I offered the second amendment in order to show the outrageous manner in which the bilingual education program has been administered. I am not given to extravagant denunciations of executive agencies ordinarily, but I believe that the Office of Bilingual Education is discriminating against my State of Illinois and against other States in their distribution of bilingual funds.

For example, in the distribution of funds for Spanish-speaking students, California is ranked No. 1 in numbers of Spanish-speaking students, and rightfully California is given the greatest share of funds. Texas is ranked No. 2, and is rightfully given the second spot. New York is rightfully ranked No. 3, and New Mexico as No. 4; but Illinois which is No. 5 in the list having the greatest number of Spanish-speaking children, ranks 14th in the amount of funds it receives under this program. Last year millions of dollars went to other States for this program. Illinois received a little over \$500,000.

In the 5 years that the bilingual education program has been operating to date, California, Texas, New York, and New Mexico which have the greatest Spanish-speaking population have been given the first four places in the Spanish funding, but Illinois, which is No. 5, is still No. 12 in that distribution of funds. Does that make sense? Obviously not. There are States who have received more money than the State which I am honored to represent, even though they do not deserve such funds. That discrimination must be corrected.

Therefore I would urge that the Committee on Education and Labor will consider this matter immediately. The problems are so great as to require their urgent attention. I would hope they would amend the law to provide for a much more equitable distribution of funds.

I also state, Mr. Chairman, I would hope and expect that the Office of Education would administer this law much more fairly. I intend to take this obvious discrimination to that office and I hope its patterns will be changed.

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

Mr. YATES. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I would like to read into the Record a statement of a former President of the United States, Theodore Roosevelt, who said:

We have room for but one language here, and that is the English language, for we intend to see that the crucible turns our people out as Americans, and not as dwellers in a polyglot boarding house.

Mr. YATES. I thank the gentleman. Certainly English is America's mother language and all America's children should be given the opportunity to learn it.

Mr. Chairman, I would tell the gentleman from Iowa of the letter I have received from teachers in the schools in my district pointing out the tragedy of Spanish-speaking students struggling to understand their courses which are taught in English and not being able to comprehend them. As bright, as diligent, as anxious to learn as their English-speaking schoolmates, they invariably drop behind. They cannot keep pace with their fellow students who speak English and they suffer as a result. They are handicapped to that extent and handicapped unfairly.

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

Mr. YATES. I yield to the gentleman from Illinois (Mr. MICHEL).

Mr. MICHEL. Mr. Chairman, I commend the gentleman for the statistics which he cited in his presentation. I am sorry I cannot put my finger on the exchange I have had with the Commissioner of Education on this very subject of the proper geographical distribution of these funds for bilingual education around the country. I think there has been a renewed emphasis to redirect some of those funds, particularly to the East and Midwest, where there was always prior to that a concentration in the Southwest and maybe in the South. The Commissioner told me this morning in a specific conversation in which we discussed this matter that he would continue those efforts.

I would hope with the impetus given to it by the gentleman in his effort at least to offer an amendment, even though it be ruled out of order, that in trying to get this point across he will continue in a renewed effort to do just that.

Mr. YATES. I thank the gentleman.

AMENDMENT OFFERED BY MR. PEYSER

Mr. PEYSER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PEYSER: On page 22, line 2, strike "\$210,190,000," and insert in lieu thereof "\$225,190,000."

Mr. PEYSER. Mr. Chairman, I want to review something that came up a few minutes ago, which I had no idea was coming up, and that was an amendment offered by the gentleman from Michigan (Mr. O'HARA) dealing with the Environmental Education Act.

Mr. Chairman, I circulated a letter, as the Members are aware, dealing with the Environmental Education Act in April, when I announced I was planning on introducing an amendment to increase the funds for this act by \$6 million.

With all the hundreds of millions we have been talking about today, I realize this probably looks like an insignificant amount, but in reality it is of the utmost importance and I think it is the best form of preventive medicine for us that we can take right now to stop this ever-increasing flow of money that we are putting out in areas such as water pollution and the battle to save the environment, all of which are absolutely necessary and which I support.

But, Mr. Chairman, if we do not start building today the kind of program that is going to educate the young people of our country, that is going to create pro-

grams that they can work within to learn about the environment and learn what they can do to solve the pollution problems while they are young, then I think we are going to be spending and talking about billions in 1980, amounts that will be double and triple the amounts we are talking about now to try to save the environment.

So this, if you will, is a piece of legislation I hope will be enacted, which will move up the \$4 million that has been appropriated to \$10 million.

The reasons for this are as follows: Last year there were over 1,900 qualified applications for this program. This program is sponsored by Boy Scout troops, by churches, by libraries, by museums, by schools; in other words, by all these types of organizations. It brings into actual play the young people in these organizations.

As to the average sized grant in the last year, out of 74 grants the average was \$18,000. So this is not a big giveaway-type program. It is a program which is really speaking to the people, to the little organizations who want to get into this environment battle and who want to work with the young people to improve our future.

By moving this up \$6 million we are going to be able to have over 200 new projects this coming year.

I hope the Members of the House will give consideration to this, and view the approach as environmental preventive medicine for the future. I am asking its enactment.

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

Mr. PEYSER. I am glad to yield to the gentleman from Indiana.

Mr. BRADEMAS. I commend the gentleman from New York on his amendment.

As a sponsor of the Environmental Education Act of 1970, which was supported by members of both sides of the aisle in the subcommittee, in the full committee, and here in this body, I have been aware of the immense demand for funds for environmental education programs.

Although the Appropriations Committee added some money to the amount appropriated for the current fiscal year—the figure in the bill for environmental education is \$4 million—the demand far exceeds that amount.

I note, moreover, that the proposal of the gentleman from New York is much more modest than that of my friend, the gentleman from Michigan (Mr. O'HARA), which I also supported but which was voted down. I hope that this more modest request will win the approval of the committee.

For, Mr. Chairman, I believe—and I do not think that champions of clean air, land, and water would disagree—that if we are to be able to make substantial progress in meeting our ecological crisis, we are going to need a citizenry informed and educated about the whole spectrum of issues that are called environmental; and we are going to require as well changes in basic attitudes toward the environment and man's place in it.

That is why several colleagues and I, in

the House, sponsored the Environmental Education Act of 1970, which authorizes Federal funds to support elementary and secondary school courses on ecology as well as curriculum development and teacher training for environmental studies.

Mr. Chairman, witnesses before our subcommittee were virtually unanimous in their support of this measure.

But allow me, if I may, to cite not the eloquent testimony which the subcommittee heard in favor of environmental education, but point rather to certain facts which, since enactment of the law, have dramatized the need for more adequate funding of the Environmental Education Act.

I ask that Members consider the following information:

In the first year of the implementation of the act, with only 3 weeks' notice of the grant procedures—and almost no publicity—the Office of Environmental Education was deluged with 1,925 proposals from all over the country, totaling \$70 million.

Only \$2 million were available to meet that avalanche of requests.

Last year, the Office of Education claims to have spent \$11.4 million from other legislative authorities, on environmental education, above and beyond the \$3.515 million available through the Environmental Education Act. The testimony of the administration itself, therefore, indicates the need for more funding for environmental education.

The Environmental Education Act, I should point out, is obviously filling a great public need.

Mr. Chairman, as we are talking, the United Nations is conducting a Conference on the Human Environment in Stockholm. Extensive publicity has attended this conference in this country and around the world. Undoubtedly the conference will increase public awareness of the need for environmental programs of all kinds.

So I urge support of this amendment to increase funds for the environmental education program within the Office of Education. Public interest in environmental education—and the need for the programs—clearly justify increasing the extremely modest appropriations which have characterized this act to date.

Mr. FLOOD. Mr. Chairman, I rise in opposition to the amendment. I am amazed that it was offered.

I spoke at some length in opposition to an almost identical amendment offered by the gentleman from Michigan, just a few minutes ago, I believe, and it was soundly defeated. That speaks for itself. Of course this amendment should be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. PEYSER).

The amendment was rejected.

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

Mr. Chairman, had the Hathaway amendment not prevailed, I would have offered an amendment here which would have cut back the appropriation for impact aid to so-called federally affected areas to the level of funding of last year.

There seemed to me to be very little point in offering such an amendment when this body had just finished passing, by a rather substantial margin, an amendment which, among other things, increased impact aid by some \$30 million; so I refrained from doing so.

I believe perhaps it might be worthwhile just to make a couple of brief comments on the subject, nevertheless.

Here is a program which originally had a legitimate purpose, to relieve areas impacted by military installations, which has grown and grown and multiplied and multiplied, so that it now enjoys what we might call almost a built-in passage assurance in this House by its impact on almost every congressional district in the Nation.

I will have to state that I am one of the comparatively few Members of this body of whom that is not true, and for that reason I am in a position where I can speak somewhat objectively. Perhaps for that very reason I have a duty to say a little something on the subject.

I could not do better than to quote my distinguished friend, the gentleman from Minnesota (Mr. QUIE), who said here in the well awhile ago in connection with another amendment that it was wrong for us to be supporting the schooling of his child out here in Montgomery County, Md. I could not agree more with the gentleman.

I will add that I believe it is wrong for my people in the 10th District of Indiana, and your people in your districts all over this country, to be paying for the schooling of my good friend's child out here in Montgomery County, one of the richest counties in the United States, with one of the highest tax bases.

I might just read from the committee report on page 48:

The committee continues to believe that reform of the impacted area aid program is badly needed, but that it must be brought about through amendments to the basic legislation . . .

Mr. Chairman, this is the fourth time I, myself, have heard that argument in the House, but we continue yearly to appropriate ever-increasing amounts for that purpose.

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

Mr. DENNIS. I will be happy to yield to the gentleman in just one moment.

I simply want to say before I sit down that it seems to me that, at some time, this body is going to have to summon up the courage to deal with a problem which we know we have to deal with, instead of every year spending increasing amounts of money that we do not have on a program which, in its present form, we cannot even attempt to justify.

I now yield to the gentleman from Illinois (Mr. MICHEL).

Mr. MICHEL. Mr. Chairman, I thank the gentleman for yielding, and it prompts me to point out that in the adoption of the Hathaway amendment you have really opened up a great Pandora's box. For the first time you have now put \$10 million in funding C students who are supposed to be justified through public housing units. We turned down \$60 million for this last year. If

you think that item is going to stop at the \$10 million figure once started, I would predict that it will be several hundred million within 3 or 4 years. And still you will be coming back and telling us on this floor what a lousy, rotten, no-good program it is, because you fell for the sucker bait today, and got this thing started.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

PAYMENT OF PARTICIPATION SALES INSUFFICIENCIES

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)) \$2,921,000, to remain available until expended.

AMENDMENT OFFERED BY MR. GOLDWATER

Mr. GOLDWATER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GOLDWATER: Page 23, after line 6, add a new paragraph as follows:

"For the education of the handicapped in higher education an additional \$2,000,000."

Mr. GOLDWATER. Mr. Chairman, the education of the deaf in this country has been limited, to say the least, for many, many years. Currently there are three federally funded colleges all located on the east coast. Last year their budgets were approximately \$38.4 million, most all of which was provided by the Federal Government. These three colleges are Gallaudet, the Model Secondary School, and the National Technical Institute for the Deaf in New York. They are all three very fine schools, but again, I repeat, they are all located on the east coast.

Now, it is a fact that there are over 200,000 deaf people in the United States, 50 percent of whom are located in the west, and yet these individuals who are unfortunate enough to be deaf must provide a tremendous amount of expense on their own to travel all the way to the east for their college education.

Besides the three colleges which are located in the east, there are presently several university and college programs spread out around this country which are small by comparison, and which have been operating under demonstration grants from HEW under the Education of the Handicapped Act.

These demonstration grant programs go back to about 1964. They have been pretty consistent, but the level of funding has not increased to any appreciable amount. As such, with the increase in the cost of living and the tremendous increase in interest of deaf children wanting to go to school, the cost to universities and colleges have gone up.

Therefore, these schools and universities, away from the east coast, have not had this year sufficient moneys to fund the programs and to meet the demands and the needs that presently present themselves.

For instance, Denver Community College in Denver, could provide education

for 200 or 300 more students if they could acquire \$200,000.

Lee College in Baytown, Tex., will have to close down.

The North Carolina School for the Deaf needs an additional \$200,000.

California State University at Northridge needs \$112,000 or it will be forced to reduce its enrollment.

It is not a great deal of money that these universities and colleges need.

It is important to provide this education for these students who are not located on the east coast, that we do provide this minimal amount of money to keep the current programs going.

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

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

Mr. CORMAN. Mr. Chairman, I commend the gentleman for bringing this amendment to the floor. I think it is unconscionable that we would cut off desperately needed aid for institutions in the West.

This is an insignificant amount of money from the point of view of this budget, but it is tremendously important in the lives of many people who are handicapped, who do have these difficulties. We would be making it impossible for the colleges to take care of them unless the amendment is adopted.

Mr. Chairman, I thank the gentleman for bringing in this amendment. I hope it is adopted.

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

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

Mr. FREY. Mr. Chairman, I also would like to commend the gentleman on this amendment.

I am acquainted with this problem because of a personal problem involving my nephew.

One of the great problems has been education outside the regular Federal schools for the deaf.

Mr. Chairman, this is certainly only a drop in the bucket, but it is a drop in the right direction. I hope the committee accepts this amendment.

Mr. GOLDWATER. Mr. Chairman, the \$2 million I am requesting at this point is a minuscule amount compared to the total bill we are considering.

Mr. Chairman, I would not normally have offered this amendment except that in looking into the problem, I find that all of these university and college programs, small as they might be, are going either to have to close down or to minimize their educational programs unless they get this additional money to keep them going.

Mr. FLOOD. Mr. Chairman, of course, I must rise in opposition to this amendment for the reasons I have stated against all these other amendments.

Mr. Chairman, if this is so very, very serious, then why in the world didn't the gentleman or somebody in the United States bring this to the attention of the Committee? Nobody has come forward to tell us about this until a quarter to six or whatever time it happens to be now, and it is late in the day. That is not right. That is not fair to the House and it is not

fair to the Committee and it is not at all fair to the subject matter to which this matter directs itself by any means.

This is a Health, Education and Welfare Subcommittee of the Committee on Appropriations of the House of Representatives. We are now speaking about that. These things should be brought to the attention of the Committee. It is not right and it is not proper to be done in this way under any circumstances.

No appearance was made about this. We hold months and months of hearings, and we would have given serious attention to this problem, had we known about it.

There is no doubt in my mind that there must be need in these areas. There is no question about that. But you cannot run down here with a piece of paper this late and say, "Mr. Chairman, I want x millions of dollars for a school in my district." That is not proper and it is not the correct way to do this. You cannot run this business that way.

Speaking for my committee, we object to this kind of operation. We should not do this this way. Come to see us. We are willing to help. We help everybody that we can. Come and testify on this—tell us about it. I believe you have a case, but tell us about it and bring your experts. You are not an expert and neither am I an expert. But we sit down with our experts to see the way these things should be handled. We will do that and we have done it for years. But, do not do it this way because this is not the proper way.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. GOLDWATER).

The question was taken; and on a division (demanded by Mr. GOLDWATER) there were—ayes 48, noes 66.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

RESEARCH AND TRAINING ACTIVITIES OVERSEAS
(SPECIAL FOREIGN CURRENCY PROGRAM)

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 Social and Rehabilitation Service, and the Social Security Administration, as authorized by law, \$8,000,000, to remain available until expended: *Provided*, That this appropriation shall be available, in addition to other appropriations to such Service and Administration for payments in the foregoing currencies.

Mr. GROSS. Mr. Chairman, I move to strike the next to the last word.

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. GROSS. I would like to ask the distinguished chairman of the subcommittee about this \$8 million. Is this more of the arts and humanities or the Smithsonian Institution funding so-called studies and research around the world? Does this include, for example, a study of "The Josefist Enlightenment Among the Serbs"?

Mr. FLOOD. This is for research in vocational rehabilitation and related activities. The gentleman may be opposed to some of the projects. I know I am.

Mr. GROSS. Is this \$8 million for junketing professors?

Mr. FLOOD. Not this appropriation. I

know what the gentleman is talking about. I complained about that before you did. I can tell you where it is.

Mr. GROSS. I wonder if it includes the junket of another professor to pursue "Aspects of Culture Change in Morocco," or that of another on the subject of "The Neutralization of the Mediterranean and the Foundation of Modern Morocco, 1511-1580".

Mr. FLOOD. If it does, I certainly hope that it had a good result.

Mr. GROSS. I wonder if it includes a study of "The State and Trade in Seventeenth Century Golconda?"

Mr. FLOOD. I do not know, but I believe the answer is "No."

Mr. GROSS. That was a 12-month study in India. Then came a 9-month study on "The Effects of Modernization on the Gradual Disappearance of a Sub-standard Dialect in Yugoslavia."

Mr. FLOOD. Whatever it is you are talking about, I tell the gentleman they came to us and asked for an increase in this appropriation and we said, "No, go away."

Mr. GROSS. What is the \$8 million for if it is not for that kind of so-called study and research? I note there is \$88,000 for a study in India to "Establish and Evaluate the Effects of Intensive Employment-oriented Services on Rehabilitation of Wayward Youth."

Mr. FLOOD. We do not think it includes those things. We certainly hope it does not include those things. If I had known we would get into this discussion I would have gotten a detailed list. But I just cannot answer definitely.

Mr. GROSS. I notice that Egypt gets into this bill to the tune of \$150,000 to finance a "Community Based Demonstration Youth Services Center for Delinquent and Pre-Delinquent Youth." What is a pre-delinquent youth?

But the prize in this junketing study, research business must go to Poland which will be delighted to learn that the United States is providing the equivalent of \$125,000 to study the "Rehabilitation of Emotionally Disturbed College Students." We have a few of them in this country.

Mr. FLOOD. A pre-delinquent youth is a youth who is apt to become delinquent. That is pre-delinquent.

Mr. GROSS. The United States is financing a \$50,000 study in Tunisia for "Comprehensive Community Services Including Day Care for Young Children."

And the Yugoslavs will certainly be pleased to learn that the United States wants to spend \$100,000 for the "Development of Predictive Scales for Rehabilitation of Juvenile Delinquents," and another \$65,000 is slated for the study of "Housing and Environmental Design in Different Types of Housing and Service Arrangements for the Elderly" in that country.

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

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

Mr. FLOOD. We said on page 53 of the report how the committee feels about projects such as those you have mentioned. Let me read that portion of the report:

The committee continues to be skeptical as to the value to the U.S. of studies of social problems in the countries where these currencies are available and wishes to see evidence of useful results before agreeing to further increases in this appropriation.

What is the matter with that?

Mr. GROSS. Let me compliment the gentleman.

Mr. FLOOD. I like that.

Mr. GROSS. The gentleman during the hearings referred to an elite club among the country's educators whose members pass around these choice junkets among themselves. This is what my friend from Pennsylvania, the distinguished chairman said:

It is a sort of club, we hear, and you pass the word around to this university and that State department of education that "Now is the time to go to Tibet." It is a sort of closed corporation, we are advised, and now, of course, it is very difficult to be against it.

Does the committee realize that if the members of this elite club of professors continue to spend millions of dollars or the equivalent thereof in counterpart funds this way, that there may not be any left for the junketing Members of Congress when they go abroad?

Mr. FLOOD. The gentleman from Iowa is quoting me, and he could not possibly do better.

Mr. GROSS. I thank the gentleman.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

SALARIES AND EXPENSES

For expenses not otherwise provided, necessary for the Social and Rehabilitation Service, \$60,215,000, together with not to exceed \$600,000 to be transferred from the Federal Disability Insurance Trust Fund and the Federal Old-Age and Survivors Insurance Trust Fund, as provided in section 201 (g) (1) of the Social Security Act.

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

As chairman of the task force on national health, I wish to point out that testimony was recently presented to the task force by the arthritis foundation. It is my firm belief that great strides toward finding a cure for this dread crippler can be made if greater Federal attention is focused on this problem. I want to emphasize the importance of the proposed budget for the Arthritis Institute by the HEW Appropriations Subcommittee.

Hopefully, we shall soon see the day when arthritis is no longer a menace to the well-being of so many of our Nation's people.

As a member of the Subcommittee on Public Health and Environment, and as a physician, I can appreciate the difficulty of the task the Appropriation Committee has performed. I would like to say here and now that I think they performed very well, indeed.

It is no easy thing to sort out what appear to be the national requirements in health, to match them with existing health programs, and then try to fit them more or less within the restrictions of a national budget. All the while this is going on, there is the certain knowledge that one program or another or one interest or another is going to be slighted, somewhere along the line.

This time the process seems to have

worked as well as possible. I believe this is a very good health budget, and I intend to vote for it. It is probably the largest health budget we have seen—but that is as it should be, for it is high time that the National and the Congress gave health programs proper attention. In fact, the greatest service of the Appropriations Committee this year may be that it has set health programs at the high priority they deserve and most likely will have to have over the next several years.

We all know that the really close work in this process has to be done by the subcommittee having the special expertise. In this case it was the Subcommittee on Labor and Health, Education, and Welfare. I tip my hat to the subcommittee, its chairman, and its ranking minority member. They have all done good work.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

Sec. 208. No part of the funds contained in this title 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. ASHBROOK

Mr. ASHBROOK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASHBROOK: On page 33, all the following new paragraph to section 208:

"No part of the funds contained in this Act may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system."

Mr. ASHBROOK. Mr. Chairman, at this late hour it is not necessary to speak more than about 2 minutes on this amendment. I will not take more than that amount of time. I merely make three quick points.

First, there is nothing new about this amendment. We have voted on it three times previously.

Second, I think we all know what happened in the conference report on higher education. When we voted last Thursday on the conference report, many colleagues voted for the conference report even though they disagreed with what the conferees had done in changing the language of the amendments this House had voted on last November.

At that time—that is, last Thursday—my colleagues indicated that when the appropriation bill came up, that would be an appropriate time to vote on this amendment, and in effect they voted for the conference report last Thursday even though they did not agree with what had been done in watering down the anti-busing amendment.

Third, this amendment will prevent Federal funds provided for in this act

from being used for busing where the purpose is for racial balance. I think everybody understands this amendment. There is no need to take a greater amount of time.

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

Mr. Chairman, I have a question in connection with the wording of this particular section 208. I would like to direct to the chairman of the committee this question. That last phrase or clause, is it something new:

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.

Mr. FLOOD. It is exactly the same language as we had before, in the previous amendment. Exactly the same.

Mr. GONZALEZ. It is the same as the previous act?

Mr. FLOOD. Yes.

Mr. GONZALEZ. I thank the gentleman.

Mr. FLOOD. Mr. Chairman, I do not want this busing business to be brought up at this time of night. We could be here until heaven knows when.

Let us be fair about this. We have provisions relating to this problem in the present appropriation bill. They are the same provisions which have been in the bill for several years. This might be lace curtains for dressing it up a little bit. If this is what it should be, it should be taken to the legislative committee.

We have this bill. I do not know why it is brought in now. It is unnecessary for the purpose of the appropriation.

Go to the legislative committee and have the blood spilled all over the floor. Take it over there and have a ball but let us not get it into this bill.

Mr. Chairman, I am against the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. ASHBROOK).

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. ASHBROOK. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CABINET COMMITTEE ON OPPORTUNITIES FOR SPANISH-SPEAKING PEOPLE

SALARIES AND EXPENSES

For expenses necessary for the Cabinet Committee on Opportunities for Spanish-Speaking People, and the Advisory Council on Spanish-Speaking Americans, \$1,260,000.

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

Mr. Chairman, I do not desire to take up the time of the committee at this time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 408. The Secretary of Labor and Secretary of Health, Education, and Welfare are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act: *Provided*, That such transferred

balances are used for the same purpose, and for the same periods of time, for which they were originally appropriated.

AMENDMENT OFFERED BY MR. JACOBS

Mr. JACOBS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JACOBS: On page 40, after line 4, insert:

"Sec. 409. No part of the funds appropriated by this Act shall be used to purchase goods or services from a supplier which compensates any officer or employee at a rate in excess of level II of the Executive Schedule under section 5313 of title 5, United States Code."

POINT OF ORDER

Mr. FLOOD. Mr. Chairman, I make a point of order against the amendment.

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

Mr. FLOOD. Mr. Chairman, again I am referring to Cannon's Procedure of the House of Representatives, and I am referring to pages 69 and 70, under the heading, "Construed as legislation and not limitations and therefore not admitted".

I go on to read:

Provision that no part of an appropriation should be used except in a certain way, thereby restricting executive discretion to the extent of imposing new duties.

Now, this is clearly what is being attempted in this amendment.

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

Mr. JACOBS. Mr. Chairman, only to say that I think this is clearly a limitation on an appropriation bill, and there have been many occasions where appropriations cannot be used to make purchases with corporations where certain activities are carried on by the corporation.

I have nothing further to say.

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

The Chair is aware of the precedent cited by the gentleman from Pennsylvania, but under the language as it is written in the amendment offered by the gentleman from Indiana it is a negative restriction, and therefore the Chair rules that the amendment is in order.

Mr. JACOBS. Mr. Chairman, I direct the Committee's attention to June 1, 1972, when in the Committee of the Whole House on the State of the Union there was a bill being considered regarding the Public Broadcasting Corp. An amendment was offered to that bill which required that no Federal funds could be used by that corporation if any of the salaries of any of the officers of that corporation exceeded \$42,500 per annum, which is the legal salary of Members of the Congress.

I would now like to quote from my friend, the gentleman from Louisiana (Mr. WAGGONER), who said on page 19462:

The answer to the gentleman's question is simply, "No, we cannot limit what a private corporation pays its employees." But we can limit what we give in grants to that private corporation if they pay what we consider to be excessive salaries to those employees.

Some of you may recall that at this time I supported that amendment that

I said I would like to test that theory of statecraft with reference to other corporations from which services are obtained by public appropriations. I said at the time that I would like to test whether what is said to the gander would also be applied as said to the goose, and this is my purpose in offering this amendment.

I think it is probably a pretty good idea if the corporation wants to do business with the U.S. Government that since Congress has set the policy now in the case of Public Broadcasting from which a service to the public has been purchased, in the opinion of the majority of this House, a majority of the Congress, whether or not the same should apply to other corporations that are going to supply the U.S. Government, and we will see if other corporate executives can cripple along on \$42,000 a year.

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

Mr. FLOOD. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Indiana, (Mr. JACOBS).

Mr. Chairman, this is fantastic, this amendment hinges on an element of sheer fantasy. This would require thousands of employees, thousands of man-hours, to investigate thousands of corporations, to investigate thousands of payroll and salary schedules all over the country, maybe all over the world.

Do not forget we are dealing with billions of dollars in this bill, and we are dealing with thousands of contracts.

For example, if this amendment were adopted, I doubt if any of the agencies covered by this bill could buy a Ford car. I do not have to guess at the salary schedules of employees within the structure of the Ford Co. as to whether they would be above the level set here. Now do you now see how far this goes?

There is no need for me to go on and on. This is fantastic, impossible, and the amendment should be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. JACOBS).

The amendment was rejected.

AMENDMENT OFFERED BY MR. JACOBS

Mr. JACOBS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JACOBS: Page 40, after line 4, insert:

"Sec. 409. No part of the funds appropriated by this Act shall be used to furnish Government-purchased or -leased limousines or luxury sedans or chauffeurs for any employee of the United States other than those defined in 5 U.S.C. 5312."

Mr. JACOBS. Mr. Chairman, I realize the committee is anxious to support this amendment and wants to move on to a vote on it.

I would just point out, we have just witnessed what I have always heard around here—"Holy cows make money. Regular cows get slaughtered."

The regular cow being public broadcasting.

Now we have the question of whether public employees are going to ride high at the taxpayers' expense in luxury sedans and limousines and with chauffeurs.

I would just point out one thing that I

learned today, which may be of interest to some of the rank and filers here. That is 2 years ago I started offering these amendments wondering whether sedans and luxury limousines should be provided to public servants and whether they should be attended by servants in this democracy of ours.

Do you know what I found out? Just 1 year ago the Office of Management and Budget stopped accounting for the number of luxury sedans and limousines in the Federal Government.

Now I will wait until the next appropriation bill comes up to tell you at whose request they stopped the accounting for them.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. JACOBS).

The question was taken; and on a division—demanded by Mr. JACOBS—there were—ayes 52, noes 57.

So the amendment was rejected.

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

Mr. Chairman, on yesterday I pointed out here on the floor the very serious fiscal situation confronting the country and urged greater restraint in Federal spending. I pointed out that the huge budget deficits of the 1970's are unacceptable, especially when coupled with the budget deficits of the 1960's which, fortunately, were not so large as the current deficits.

The matter of additional taxes was also discussed here on the floor on yesterday.

Mr. Chairman, this bill goes too far in providing funds above the President's budget and I have not found it possible to support many of the increases which have been made.

It is to be regretted that the House has been unwilling to practice sufficient restraint on this bill and I want to be so recorded in the Record of today.

AMENDMENT OFFERED BY MR. FINDLEY

Mr. FINDLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FINDLEY: On page 40, after line 4, insert the following new section:

"Sec. 409. Money appropriated in this Act shall be available for expenditure in the fiscal year ending June 30, 1973, only to the extent that expenditure thereof shall not result in total aggregate net expenditures of all agencies provided for herein beyond 100 per centum of the total aggregate net expenditures estimated therefor in the budget for 1973 (H. Doc. 215)."

POINT OF ORDER

Mr. FLOOD. Mr. Chairman, I make a point of order against the amendment.

Mr. Chairman, this is legislation upon an appropriation bill—period.

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

Mr. FINDLEY. Yes, Mr. Chairman.

Mr. Chairman, I would like to explain to the Chair that the language of this amendment with the exception of the percentage figure and the House document reference is identical to the so-called Bow amendment which was of-

ferred on many occasions in past years and which has been challenged on previous occasions and which has been sustained being in order of an appropriation bill.

The CHAIRMAN (Mr. HOLIFIELD). The Chair has examined the amendment and will rule that it is in order. It is, in effect, the "Bow" amendment with a very slight variation. It is a restriction on the appropriations in this bill.

The point of order is overruled.

Mr. FINDLEY. Mr. Chairman, this, of course, is not the first time I have offered an amendment similar to the language now before the committee.

This amendment differs from previous amendments in that it would bring the appropriation now before this committee back to the level requested by the President. It would leave in the hands of the

Executive the discretion as to where to make the cuts from the amounts that have been approved by the committee in order to bring the total expenditures for the fiscal year 1973 in line with the request for these various agencies made in the President's budget message earlier this year.

The effect of the amendment in dollars is to take from the amount presently authorized by the committee \$1,275,856,000. By accepting the amendment, the amount approved by this committee would be \$27,327,323,500, which, of course, is what the President has requested.

The committee brought forth a bill for us to consider which added 3.3 percent to the President's budget request or the amount of \$912,023,000. If the committee instead had brought to us an appropria-

tion bill in line with the anticipated revenue for the Federal Government in fiscal 1973 it would have cut below the President's request by an amount of \$3,825,825,290. We have today added the Hathaway amendment costing \$363,833,000, which brings the red ink, so to speak, in the bill now before us to the grand total of \$5,101,681,290.

Mr. Chairman, I apologize. My amendment would not take all of the red ink out of the bill by a long shot. It would take out of the bill \$1.275 billion in red ink. The very least we should do is to hold the line on the President's budget request. The simple fact is that the President's budget request is out of balance with expected revenues for fiscal 1973 in the amount of \$27 billion.

A table of appropriation bills approved so far follows:

Appropriation bill	Budget request	Balanced budget level (14-percent cut)	Amount approved by House	"Red Ink" approved by House	Appropriation bill	Budget request	Balanced budget level (14-percent cut)	Amount approved by House	"Red Ink" approved by House
Legislative	\$433,627,004	\$372,919,224	\$427,604,764	\$54,685,540	Transportation and Related Agencies	\$8,426,792,000	\$7,247,041,120	\$8,316,950,000	\$1,069,908,880
State, Justice, Commerce, Judiciary, related agencies	4,687,988,600	4,031,670,196	4,587,104,350	555,434,514	District of Columbia	343,306,000	295,243,160	332,306,000	37,062,840
HUD, Space, Science, Veterans, Independent Agencies	20,173,185,000	17,348,939,100	19,718,400,000	2,369,550,900	Interior and Related Agencies	2,520,340,000	2,167,492,400	2,529,558,200	362,065,800
					Labor, HEW, and Related Agencies	27,327,323,500	23,501,498,210	26,603,179,500	5,101,681,290
					Total				9,550,389,404

Fiscal summary of the appropriations bill for Departments of Labor, and Health, Education, and Welfare, and related agencies, fiscal year 1973

Budget request	\$27,327,323,500
Committee recommendation	28,239,346,500
Committee added 3.3 percent	912,023,000
Balanced budget level 14 percent cut from budget request	3,825,825,290
Committee added 3.3 percent	912,023,000
"Red ink" still in bill, 17.3 percent	4,737,848,290
Hathaway amendment	363,833,000
Red ink in bill, 19 percent	5,101,681,290

Mr. FLOOD. Mr. Chairman, I do not think it is necessary to speak in opposition to the amendment, but I feel I must do it for the record. I direct your attention to the fact that we are convening as a Committee of the Whole House today. This is a meat ax, a Meat Ax in capital letters. All this simple little amendment would do would be to upset everything you have done here today except overrule the speech of my friend from Mexico. I will admit that we brought this bill to the floor with pretty good introductions this week. We had a Color Guard and the Air Force Band. We had a guest star on the platform, and then we had the President of Mexico. That is the way to bring a bill in, but it is not the way to take it out. This will upset everything the Appropriations Committee has done about this matter. It will upset everything that has been done here today by everybody in this place, good, bad, or indifferent. It will cut out the good things and the bad things.

Mr. Chairman, this is no way to legislate.

Mr. DE LA GARZA. Mr. Chairman, this Nation has a responsibility in time of

affluence to become more aware and more responsive to the crying need of the agricultural worker who must leave his home in search of a job so his family can exist.

I know because I represent the heart of the migrant country in this whole Nation. I know what I am talking about and I strongly urge that the appropriations bill we are presently discussing increase the migrant health act to at least the authorized level of \$30 million dollars.

While Texas has more migrant projects than any State in the Nation—and in my particular district there have been many approved throughout Cameron, Hidalgo, and Willacy Counties—nevertheless we face a problem that certainly is not insurmountable but one which requires particular attention.

It is difficult for us to think about a man who piles his family into a raggedy old truck—who gets into a vehicle that barely qualifies under State law—to remove his family from home and custom far into the North to pick sugar beets in Michigan or out West to pick grapes in California.

It is difficult for these people to be aware generally of what advantages are afforded him when he is away from home—thereby making it doubly important that such advantages be afforded him while he is at home.

Statistics about the migrant are known to all but let me point out here that one portion of my district, the Lower Rio Grande Valley, by current guidelines for poverty has a total of 33 percent of population as family units earning less than \$3,000 a year. It is hard for these people to make ends meet. It is hard for them to pay the doctor. It is hard for the doctor to meet his overhead and take care of them.

Let me here, however, point out how

very adequately and magnificently the doctors of the area have responded to the needs of the migrant. The doctors in Cameron County have made every effort to insure quality medical care to the total community and they have worked with charitable organizations who have received funding from the Federal Government to assist in this effort.

The same is true in other areas of the district—and I say this because I do not want anyone to think that we are letting the Federal Government take care of our problems. We are not—but there is a need for more health personnel—specifically in the rural areas—we do need more doctors and more nurses. Community hospitals are fast outgrowing their intended capacities and the rural areas oftentimes have little or nothing to serve adequately as emergency facilities or access hospitals.

We need to further and to improve medical education among the poor and among all people especially in regards to nutrition and to pre- and postnatal care, infectious diseases, family planning, et cetera. We must become more aware and more responsive to the crying needs of our medically indigent so they can receive comprehensive care.

But then this also creates a problem unless the Federal Government comes in. There are some remarkable hospitals in our area—some of them operated by church organizations. They are finding a tough up hill fight to maintain their quality medical care delivery and keep their heads above water financially.

With reference to this particular situation I can mention two of these hospitals which come to mind immediately. They are the Valley Baptist Hospital in Harlingen and the Knapp Methodist

Memorial Hospital in Weslaco. Both of these have cooperated magnificently despite severe financial problems brought about by varying interpretations of how medicare and medicaid reimbursements should be handled with the results that they had to repay hundreds of thousands of dollars. I keep telling the HEW people about the problems of these hospitals and HEW tells me they have no authority to help. We must give HEW the authority.

If provisions are not made for adequate funding so that hospitalization programs can care for the medically indigent and migrants under the act then the entire area suffers.

We stand a chance of having to close the doors of hospitals, stripping them of primary services. In the end everybody suffers. Our people are doing everything they possibly can locally to assist in the migrant situation—but a doctor seeing 60 patients a day cannot see 20 of them free or 30 of them free. He still has to pay rent and meet an overhead.

Likewise a parent of three children earning \$10 a day will do everything possible to avoid a doctor bill or a drug bill. He cannot pay that bill so his family does without care.

I think it is time that we take a close and careful look to taking care of these situations—the money will be spent somewhere—I am not advocating making money available so that people can hold a fine job but I am urging that we try to do something for these people who are not as fortunate as we and to try to help the hospitals with funded in-house programs so that they can help the migrant and the indigent and stay in business to help us when we require their fine facilities. I thank you.

Mr. RANDALL. Mr. Chairman, I enthusiastically support the amendment of the gentleman from Illinois (Mr. FINDLEY) which would stop employees in the Department of Labor from checking for compliance under the terms of the Occupational Safety and Health Act those firms employing 25 people or less.

It would have been a poor decision had I decided to vote against the Findley amendment because I would have found myself in a situation of unexplainable inconsistency. The reason is that on March 2, 1972, I introduced H.R. 13554, a bill to amend the Occupational Safety and Health Act of 1970 to exempt any non-manufacturing business or any other business with 25 or less employees in States having laws regulating safety in such businesses from Federal standards created under that act.

Mr. Chairman, along with a majority of the Members of the House I supported the Occupational Safety and Health Act of 1970 because, in my own mind at that time, I thought it was the intention of Congress to improve occupational safety in heavy industry. But even with existing safety precautions men continue to be maimed and killed in heavy industry.

It is apparent now that many of us did not comb the fine print in the act we passed in 1970 in our zeal to improve safety conditions in our high manufacturing plants and in mining, as well as the transportation industry.

Yet, Mr. Chairman, I cannot let myself believe it was the intention of the Congress that all the inspectors employed under the act should be turned loose to harass small businessmen in the manner that has transpired since the passage of the act in 1970.

It should go without saying that no thinking Member of Congress intended to pass a measure in the form of the Occupational Safety and Health Act that would result in constant harassment of small businessmen. Let there be no mistake about it, the passage of time will prove that this act of 1970 will contribute to putting more small businessmen out of business than any other bill passed by the Congress in recent years.

Mr. Chairman, as evidence that I believe in adequate funding of the Occupational Safety and Health Act of 1970, which is needed to properly police the most hazardous industries, I opposed the effort of the gentleman from Indiana (Mr. DENNIS) to cut \$20 million which is needed to enforce that act in the huge industries where men are almost daily maimed or killed.

I suppose we should always expect some nit-picking by over zealous inspectors. However, a most interesting project would be to find out who dreamed up the regulation which requires every small businessman must have an open front toilet seat or be guilty of a violation of the Occupational Safety and Health Act.

According to the mail our office has received, these inspectors descend upon a small businessman and proceed to charge him with noncompliance of the Occupational Safety and Health Act if the businessman happens to be so unthoughtful as to continue to use a toilet or commode top that is formed in a circle. How ridiculous. Such unbelievably restrictive regulations against small businessmen who are trying to make ends meet should provide ample reason for the amendment of the gentleman from Illinois, to be referred to hereafter as the "Toilet Seat Amendment."

In a more serious tone, I am pleased to note that the Findley amendment will operate to make into law the terms and provisions of our own bill, H.R. 13554, at least for a period of 1 year covered by this appropriation bill. We should all be indebted to the gentleman from Illinois for his timely amendment. When we commenced with this appropriation bill I never dreamed there would be a chance to achieve the objectives of our bill to give some relief to small businesses in this bill.

So many of our small businessmen have complained against the unfairness of the Occupational Safety and Health Act that our good colleague from Missouri (Mr. HUNGATE) a subcommittee chairman of the Small Business Committee, will in a few weeks conduct hearings to determine exactly how detrimental the implementation of this Act has been against those little businesses that have had to put up with an almost endless number of inspections under this Occupational Safety and Health Act.

I suppose none of us can ever be sure or positive how far the bureaucrats will go, first in formulating regulations and

then liberally interpreting their own regulations to hinder or hamper the work not only of our small businessmen, but also our farmers. During the debate one of our colleagues from the State of Kansas pointed out he had evidence that if farmers exchanged labor, they become subject to the provisions of the Occupational Safety and Health Act.

Someone downtown dreamed up the fiction that when our farmers exchange labor with each other one becomes an employer and the other becomes an employee and, therefore, come under the terms of the Act of 1970. Surely that was not the intention of any of us when we voted for the bill 2 years ago.

The Occupational Safety and Health Act has been overinterpreted and our small businessmen and farmers have been overinspected far beyond the intention of the Congress. Under the amendment before us, we will at least give some relief today to those hard-pressed farmers who hire fewer than 25 workers. They will have at least 1 year's relief. Within that year we must pass into law some amendments to give our little businessmen and small farmers permanent relief.

Mr. DONOHUE. Mr. Chairman, this bill before us, granting appropriations to the Departments of Labor and Health, Education, and Welfare, as well as related Federal agencies is obviously of tremendous importance and impact upon the continuing and expanding progress and security of our people and our Nation.

Practically every program and human activity area covered by this bill is of the highest urgency and priority to the further welfare and development of all of our citizens at every age level.

The testimony and evidence of recognized and acclaimed authorities in the various fields of health, education, and manpower, for the preservation and strengthening of these provenly effective programs, is overwhelming and I most earnestly hope this testimony will be carefully reviewed by every Member and accepted by the House.

When we dwell, even briefly and summarily, upon the significance of just a few of the programs projected by this bill, such as the construction and staffing of community mental health centers, mental health guidance to children, hospital expansion, the National Cancer and National Heart and Lung Institutes operations, increasing professionally trained health manpower, extending vocational education and education for the handicapped, establishing nutrition programs for the elderly, retaining essential public library services, and maintaining impacted area aid then we vividly realize there is no other legislative measure coming before the Congress that more directly and personally affects the improved quality of life in this country for each and every citizen, child, youth, adult, and aged.

Mr. Chairman, in this rather frustrating period of our national history we are all, of course, required to be earnestly and diligently concerned about the most economically and effective spending in all Government operations and activities.

On this score and from all the evidence that has been presented in support of this bill I think it is clearly apparent that the appropriations that have been recommended are modest and reasonable for the critical human purposes that are involved and that the approval of this measure is unquestionably in the national interest.

Mr. MIZELL. Mr. Chairman, I rise at this time in support of Mr. FINDLEY's amendment, which is designed to prohibit harassment of the small businessman and to provide an impetus for effective and fair guidelines for the protection of the worker in the small business operation.

We have been trying for some time, as all of my colleagues know, to get the Department of Labor to establish guidelines under the Occupational Safety and Health Act that would distinguish between the safety requirements needed for large-scale business operations and those needed for smaller businesses.

This is particularly important as it relates to heavy and light construction. These two industries have next to nothing in common as far as safety hazards are concerned, but no distinction has been made between the two, and light construction is faced with meeting the same safety requirements as heavy construction.

This amendment gives us the time to set up the more reasonable and more equitable guidelines for small business that should have been formulated in the first place.

The record of harassment by Federal inspection officials against small business has been well-documented by several of my colleagues today, and I need not try to provide any more evidence at this time.

The central point, Mr. Chairman, is that not enough planning and not enough consideration for the special problems of small business have gone into the formulation of this legislation, and Mr. FINDLEY's amendment simply requires that that planning and consideration be employed, however belatedly, in the establishment of safety guidelines, and it prohibits harassment of small businessmen in the meantime.

I urge my colleagues to join me in supporting this amendment.

Mrs. ABZUG. Mr. Chairman, I rise in support of the quality education amendment, which would add \$364 million in education funds to this bill, and in support of the Badillo amendment, which would add \$15 million to the appropriation for the bilingual education program.

Congress can face no greater challenge than to increase our commitment of Federal tax dollars to the educational programs in this country. Education is the lifeblood of a society, and it is our most important tool for assuring progress for America and equal opportunity for all Americans.

The bulk of the money proposed in the quality education amendment—\$212.5 million—would be for programs under title I of the Elementary and Secondary Education Act. Aid under title I is for "local educational agencies serving areas with concentrations of children from

low-income families to expand and improve their educational programs by various means—including preschool programs—which contribute particularly to meeting the special educational needs of educationally deprived children."

Under the law, these funds are not just swallowed up in the budgets of local school boards; they must be spent in areas having high concentrations of deprived children; they must be used in addition to—not instead of—funds otherwise made available to those areas. In short, they represent a direct pipeline from the Federal Government to the children of this Nation who are most in need of that help. They represent a national commitment on which we must not scrimp or cut corners. Nothing—not the war in Indochina, not the space shuttle, not the SST, not even some of the domestic programs which are also important—is as critical to assuring equal opportunity in our society as a proper education, and title I programs are an important factor in bringing this about.

The quality education amendment also contains much needed additional funding for vocational education, school libraries, and adult education. These, too, are areas in which we should make the fullest possible commitment of our resources, and I urge the adoption of this amendment.

I also support the amendment which would appropriate an additional \$15 million for the bilingual education program under title VII of the Elementary and Secondary Education Act. Last year, only \$35 million of the authorized \$100 million was appropriated; further, the Nixon administration had the colossal nerve to impound \$10 million of that sum until several Members, including myself, pressured them about it back in December. This year, the Appropriations Committee has proposed \$45 million for bilingual education. While this is an improvement, it is barely a drop in the bucket in comparison with the authorization for 1973, which is \$135 million, and with our needs, which are even greater than the authorized sum.

There are 5 million children in this country, 600,000 of them in my own State of New York, who are in need of bilingual educational assistance. Presently, only 100,000 of that 5 million are being served by programs under title VII, and the additional appropriation proposed for the coming year would add only 35,000 more.

We must increase these funds, which represent a direct and clearly identifiable commitment to the struggle of Chicanos, Puerto Ricans, Chinese, American Indians, and other linguistic minorities for equal educational and equal social opportunity. The funds contained in this amendment are needed to begin to make the promise of education a reality for all children regardless of whether English is their primary or secondary tongue, and I urge the adoption of this amendment.

Mr. MIKVA. Mr. Chairman, as of June 30 the Postal Service will be discontinuing the postal academy program. The Department of Labor has offered to provide \$13 million to keep the program alive through the summer, but if continued funding is not found by that time, this

important and highly successful program will be lost.

For 2 years the postal academy program has been a source of hope for inner city dropouts. High school dropouts across the country are recruited for the program, which provides remedial education leading to a high school equivalency degree and promises an opportunity for employment in the Postal Service.

In May 1970, the Postal Academy Program first opened its doors to an initial group of 250 students in sites in five cities—Atlanta, Chicago, Detroit, San Francisco and Washington, D.C. located in a variety of renovated community buildings in the urban centers. Each of the academies recruited an initial group of fifty high school dropouts, aged 16-22, under the direction of a local community oriented Director.

In the two years since then, the PAP added two new academies in the existing cities and opened a new academy in Newark. The enrollment has grown to 1,275 and the academies are showing the first fruits of success. As of January 1972, scarcely one and one-half years after opening, the Postal Academy Program has recorded 58 students who are in college, 95 students who have received their high school equivalency diplomas, 103 students who entered full time employment, 16 students who entered the armed services, and 57 students who returned to the public schools. In November 1971, the Department of Labor conducted an extensive evaluation and had high praise for the quality of the staff and of the educational program and of the enthusiasm of the students.

The success of the postal academy program has been due in no small measure to the personal interest shown by former Postmaster General Winton Blount. The Postal Service has provided 10 percent of the funding, and most important, has made a commitment to provide job opportunities at the end of the line. However, things have not been so rosy since Postmaster Blount's departure. The new management at the Postal Service is decidedly less sympathetic to the program, and has cut back on the number and caliber of jobs available to Postal Academy participants. By now it is clear that the Postal Academy will have to find a new home or close its doors.

The logical place to continue the program is HEW or the Department of Labor, or some combination of the two. Throughout the program's history, HEW and Labor have provided 90 percent of the funding. Recently, the postal academy program was evaluated by the Department of Labor. Their report praised the success of the program and recommended its continuation. It further recommended that the Department of Health, Education, and Welfare be assigned responsibility for the education aspects of the program, and the Department of Labor take over the manpower function.

With all the millions of dollars we spend seeking answers to the desperate problems of unemployment, poverty, and crime in our Nation's cities, it would be foolish to abandon a program which has been so singularly successful. I would urge that efforts be undertaken by HEW and the Department of Labor to insure the continuation of the postal academy program. A number of our colleagues in

the House as well as in the other body have expressed similar concerns; a sampling of their letters in support of the program follows:

MAY 17, 1972.

Mr. ELMER T. KLASSEN,
Postmaster General,
U.S. Postal Service,
Washington, D.C.

DEAR POSTMASTER GENERAL KLASSEN: It has come to my attention that the Postal Academy Program which has served high school dropouts in six of our larger cities is being forced to close down due to lack of further funds.

The program has appeared to be a successful one in helping our young people stay in school. Since your department has been among the organizations which have supported this program, I would urge that you give your consideration to the need of establishing some type of formal funding arrangements to allow this program to continue.

Thank you for any consideration you may give.

Sincerely,

EDMUND S. MUSKIE,
U.S. Senator.

MAY 22, 1972.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I was disheartened to learn that the United States Postal Service has decided to discontinue its sponsorship of the Postal Academy Program—one which both you and Mrs. Nixon have commended for its record of achievement in giving new skills and new hope to disadvantaged young people who have neither. I ask you to give this matter your personal attention and to help save the best chance 1300 young persons have to improve their prospects for a brighter future.

The decision to terminate the Postal Academy Program was based neither on the failure of the Program to demonstrate its achievements nor on a lack of available federal funds.

The Educational Testing Service, evaluations by the Department of Labor, and observations by the Office of Education and Postal Service have all cited the Program for its accomplishments. A surprising number of the participants have entered college, received high school equivalency diplomas, or returned to public schools. The Educational Testing Service has said that the average student entering the Program improves his functional ability by about one academic year during the first four months.

On February 7, 1972, the Office of Management and Budget indicated that it had sufficient funds to continue the \$4 million program for Fiscal Year 1973 and that, pending the accomplishment of three program adjustments, the Departments involved should confirm Program continuation. It appears that qualitative requirements have been met, yet the Postal Service's response has been to withdraw its vital support at a critical time.

If the Postal Service insists on terminating the Postal Academy Program, then I urge you to provide a sponsor which will serve as a suitable alternative to keep open the centers in Chicago, Detroit, Newark, Atlanta, San Francisco, and Washington, D.C.

Time is of the essence. If these programs do not receive a reprieve in the very near future, they will have to begin terminating leases and contracts which will make it impossible to reinstate the projects. Failure to continue these programs will also contribute to the further alienation of the Program participants, who have already been among society's outcast.

I look forward to hearing from you soon about your actions on behalf of the Postal Academy Program.

Respectfully,

ADLAI E. STEVENSON III.

MAY 25, 1972.

Hon. E. T. KLASSEN,
Postmaster General, U.S. Postal Service,
Washington, D.C.

DEAR MR. POSTMASTER GENERAL: It was with dismay that I learned the U.S. Postal Service has withdrawn its support of the Postal Academy Program effective June 30, 1972. Although lack of funds was cited as the reason for this action, the Office of Management and Budget announced on February 7, 1972 that the \$4 million cost of the program could be met in Fiscal Year 1973.

The Postal Academy Program has helped many young people through their "storefront academies" in the short two years it has been in operation. Compliments have come to it from public and private sources. Most importantly, scores of young people who seemed doomed to lives of poverty, ignorance and degradation have been given a hand toward something better. Surely, no effort is too great in behalf of such a goal.

The program has been under the auspices of the Postal Service although jointly funded by the Department of Labor and the Department of Health, Education and Welfare. Such a division is obviously not in the best interests of the program and no one would quarrel with the Postal Service's contention that the academies have nothing to do with the mail. At the same time, it seems appropriate, and fair, that the program be continued—as approved by OMB—through Fiscal Year 1973 under the existing arrangement. During that period of time, a permanent home for the academies can be found.

I would appreciate your thoughts on this matter and urge that every consideration be given to continuation of this exemplary program.

Sincerely,

MARK O. HATFIELD,
U.S. Senator.

MAY 19, 1972.

The Honorable E. T. KLASSEN,
Postmaster General,
Washington, D.C.

DEAR MR. KLASSEN: I have recently been informed that a decision has been reached to terminate funding of the Postal Academy Program.

In a recent mailgram received by Mr. Jim Hill, Director, Postal Academy Training Institute, the U.S. Postal Service asserted that "funds are not available", hence termination of the program. However, in a memorandum for Malcolm Lowell, Jr., Assistant Secretary for the Manpower Administration, Department of Labor, from Paul O'Neill, Assistant Director of the Office of Management and Budget, the Office of Management and Budget insists that funds are available, and that plans were underway to continue the Postal Academy Program.

According to the O.M.B. memorandum, "to confirm the details of Postal Academy continuation funding in Fiscal Year 1973 was to total \$3.9 million; \$2.1 million administered by H.E.W. appropriated to the Department of Labor as institutional training funds, \$1.4 million administered by the Department of Labor, and \$4 million matching funds from Post Office sources. In addition, it is documented that "the location of the Postal Academy Program within the Postal Service shall continue in Fiscal Year 1973".

I would also like to call to your attention, the "Evaluation Study of the Postal Academy Program" conducted by the Division of Program Evaluation, Manpower Administration, Department of Labor, which strongly indicates the Postal Academy Program to be worthy of continued funding.

As you know, the Academy Program takes inner-city dropouts off the streets and trains and educates them in "storefront academies", allowing the individual to eventually achieve equivalency degrees that would not other-

wise be possible. The Manpower Administration's report describes the "real pride, hope, positive attitudes, feelings of accomplishment, and the air of exuberance" of these underprivileged young people who are given one final hope for a decent life from the Postal Academy.

You can be certain that I strongly support the goals and aspirations of the Postal Academy Program and those devoted teachers who have interrupted their professional careers to teach the poor. I strongly urge you to review this program again, and reconsider it for funding. I truly hope that our priorities have not become so confused that we are not willing to expend every effort to educate our young and to support workable and productive programs such as the Postal Academy Program. We cannot afford to deny the disadvantaged youth of our inner-city that one final opportunity to receive a decent education. It is for these young people that I strongly urge you to review this decision, and to fund the Postal Academy Program without delay.

I await your comments.

With best wishes,
Sincerely,

HARRISON A. WILLIAMS, Jr.

MAY 17, 1972.

The Honorable ELMER T. KLASSEN,
Postmaster General, U.S. Postal Service,
Washington, D.C.

DEAR MR. POSTMASTER GENERAL: I have been informed that the Postal Academy Program will be closed at the end of Fiscal Year 1972. As you know, one of the most successful installations of the Program is located in San Francisco and I am, therefore, very much concerned about the possible loss of the very real and substantial benefits of the program.

Since the inception of the program, the San Francisco academies have serviced 467 students and their families. At the present time, 200 students are enrolled in San Francisco. A member of my San Francisco District Office staff, who is trained and experienced in social work, has visited the installations and observed the training. She informs me that the entire program impressed her as being one of the most practical, realistic and beneficial rehabilitation and training programs for young people she has ever observed.

I realize that the Program has been jointly financed by the Departments of Labor, Health, Education and Welfare, and the U.S. Postal Service, and I am making a similar request to Secretaries Richardson and Hodgson. The continuation of a proven program which provides basic educational skills to high school dropouts at a low cost, and prepares them to pass the General Education Diploma examination, depends upon the decision made by you gentlemen. Certainly the social and personal benefits of the Program far exceed the monetary costs. Your favorable consideration is anticipated.

I will appreciate being kept informed about the status of this matter.

Sincerely,

PHILLIP BURTON,
Member of Congress.

MAY 30, 1972.

Mr. JOHN D. EHRLICHMAN,
Assistant to the President for Domestic Affairs,
Washington, D.C.

DEAR MR. EHRLICHMAN: I have learned of the plans of the United States Postal Service to close the Postal Academy Program. I am greatly concerned about this for several reasons.

First, because of the success of the program. The Educational Testing Service evaluation indicates that the student, high school dropouts, advanced one and one half grade levels in a four month period.

Further, a report by the Department of Labor, DSG Report No. 18, evaluation study of the Postal Academy Program, states: "if there is any one observation that graphically stands out after observing and talking with a number of students at the various academy projects, it is the 'air of exuberance' at these store-front schools. There seems to be a real pride, hope, positive attitudes, feelings of accomplishments, and the kind of aspirations that one would hardly expect to find among a group of inner-city dropouts."

Secondly, a memorandum from Mr. Paul H. O'Neill, Assistant Director, Office of Management and Budget dated February 7, 1972 indicates that the Postal Academy was to continue for FY 1973. If this is so, why did the U.S. Postal Service announce that it would terminate its sponsorship.

May I suggest that the money the Office of Management and Budget stated was available in the Department of Health, Education and Welfare and in the Department of Labor committed to the continuation of the Postal Academy be made available to the Academy now and that another Department, perhaps, the Department of Labor, be responsible for the continuation of the Program.

I strongly endorse the objectives of the program, and I believe that a program that is meeting the educational and job needs of so many individuals should be continued.

Please inform me what plans the Administration has to continue this program.

With every best wish.

Sincerely,

RALPH H. METCALFE,
Member of Congress.

MAY 23, 1972.

HON. JOSEPH A. MATUKONIS,
Congressional Liaison Officer, U.S. Postal Service, Washington, D.C.

DEAR MR. MATUKONIS: My attention has been drawn quite recently to the unhappy prospect of the demise of the Postal Academy Program.

From the materials made available to me, it would appear that the Academy Program has been quite successful in motivating youngsters to consider the Postal Service as a career. Although the Academy Program situated in Newark, New Jersey, is not in my Congressional District, I do hope you will permit me this opportunity to urge that the decision to phase out the Program be reconsidered.

Thank you for your serious consideration and thoughtful attention to this matter.

Cordially,

FRANK THOMPSON, JR.

MAY 31, 1972.

HON. JAMES D. HODGSON,
Secretary, Department of Labor,
Washington, D.C.

DEAR MR. SECRETARY: I am deeply disturbed at reports that the Postal Academy program will be terminated as of June 30, 1972. The Postal Academy is the type of innovative approach to solving educational problems our government should be encouraging, not terminating at this time. I hope very much that you will prevail upon the Post Office to continue to run the Academy program, so, if the Post Office is unwilling to run it, that HEW will continue the program directly, with the present funding arrangements continued. Clearly, HEW has such authority, since it has been funding the major share of the program since its inception, and the original FY 1973 budget provided for a continuation of present funding.

With best wishes.

Sincerely,

JACOB K. JAVITS.

U.S. SENATE,
OFFICE OF THE ASSISTANT
MINORITY LEADER,
Washington, D.C., June 6, 1972.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: As you know, when Red Blount was Postmaster General he launched a postal academy program to help train inner city youth which has proved quite successful in Detroit and 5 other cities.

Now, in view of the Post Office Department reorganization, it appears that the academy program is about to "fall between the cracks" of government.

I wish to urge the White House to consider convening a meeting of Labor, HEW, and Post Office Department representatives to determine how the postal academy program could be continued.

Enclosed is a copy of a self-explanatory letter I have just received from the Honorable Romon S. Gribbs, Mayor of the City of Detroit.

With best wishes and my kind regards, I am
Sincerely,

ROBERT P. GRIFFIN,
U.S. Senator.

WASHINGTON, D.C., May 19, 1972.

HON. ELMER T. KLASSEN,
Postmaster General,
U.S. Postal Service,
Washington, D.C.

DEAR GENERAL: I have received a letter from Mr. Darnley M. Osborne, Jr., Assistant Director, Postal Academy Program, who informs me that it is the intention of the Postal Service to close down the program as of June 30, 1972.

This is regrettable because I believe the program has been a success and that we need more successful programs rather than instituting new ones at some future time which may not succeed.

I first became acquainted with the Postal Academy Program when Mr. Houseman was Assistant Director of Personnel.

I would like to add my support to that of others who protest the intended closing down of this program. I would like a report on this matter as soon as possible from your office.

Sincerely,

ROBERT N. C. NIX,
Chairman.

HOUSE OF REPRESENTATIVES,
Atlanta, Ga., May 22, 1972.

DEAR MR. OSBORNE: I am writing to express my regret at the impending closure of schools operated under the Postal Academy Program.

The schools have been an undeniable asset to this community, permitting thousands of inner city young people to further their education.

I hope the decision can be reversed, and this worthwhile and successful program can be continued.

It seems a shame, when so many government supported educational efforts fail to accomplish their purpose, that a proven effort must be halted.

I stand ready to offer any assistance I can to help keep the Postal Academies functioning.

Sincerely,

JULIAN BOND.

Mr. ANDERSON of California. Mr. Chairman, I rise in support of H.R. 15417, a bill making appropriations for the Departments of Labor, and Health, Education, and Welfare for the fiscal year beginning July 1, 1972.

EDUCATION

This measure is extremely important to the citizens of California and of the Nation in two respects: First, it offers economic aid to our financially hard-pressed schools, and second, it presents a partial remedy to the problem of skyrocketing property taxes.

Although education is generally considered to be a responsibility of the States, and although State constitutions typically specify that the State provide an adequate system of public education for the children of the State, the task of financing systems of public education has traditionally been delegated to local school districts where over half of the moneys spent by the public schools is raised. Most local areas rely almost exclusively on the local property tax to raise their share of the costs.

However, the Supreme Court of California, in the Serrano against Priest case held that the system of educational finance in force in California, which relies heavily on local property taxes, could violate the Constitution if demonstrated to make "the equality of education available to a child a function of the wealth of his parents and neighbors." The court found that 56 percent of California school funds derive from property taxes and the tax base ranges from \$103 to \$952,156 assessed value per elementary pupil.

As a result, the poorer districts must levy twice the tax rate to support half the education program.

What is the answer to the school finance problem?

First, the State of California must assume a greater proportion of the cost of educating a child. In the 1964-65 school year, the State government provided nearly \$40 of every \$100 spent on educating a child. Today, the government in Sacramento contributes only \$34.80 of every \$100 spent. Nationally, State governments account for 41 percent of the costs of educating a schoolchild.

Second, the Federal Government must expand its role in financing local education without infringing on local control.

Nationally, the Federal Government pays only 7 percent of the costs of educating a child, but in California, the Federal Government contributes only \$6 out of every \$100 spent on elementary and secondary education.

Mr. Chairman, the bill before us appropriates over \$3.9 billion for education, which is \$665 million more than the sum recommended by the administration, and \$418 million over the amount appropriated for fiscal year 1972.

This level of spending will allow the school districts to continue their current program, without cutting back on the number of teachers, and on the quality of education offered. It will allow most local governments to continue to operate their schools without resorting to increasing taxes on the local property owner for the purpose of education.

I support this measure as a step toward equal, quality education. But it is only a step. Now, it is time for the State

governments to do their part, and provide a level of funding that takes the burden off of the property owner.

Mr. VEYSEY. Mr. Chairman, the quality education amendment before the House today is a carefully constructed package aimed at retaining the momentum we have been able to achieve over the last 10 years toward a quality education for all. It would restore to existing levels the funding for those States, including California, which would lose Federal funds under the proposed apportionments in the bill. The amendment offers important additional help for bilingual education and vocational education, both of which are in critically short supply. It recognizes the unusual impact that Federal employees place on school districts by including an increase in the level of funding for Public Law 874, Impact Aid; and it would help State departments of education deal more effectively with the growing list of responsibilities they are being asked to assume.

I am pleased to note a new mood this year in selling the need for supplements to the education appropriation. I have heard considerably more reasoned discussion of the issues and have noted a much better awareness of the other important priorities competing for these funds. Education is one of the most important activities we undertake, but it is not the only one. Failure to recognize this has led to demands in the past which were unrealistic and impossible to grant. Fortunately, the additions proposed today do not fall into that category.

I would like to call my colleagues attention to one aspect of this bill which may not be obvious on its face. The largest single line item proposed by the committee and the largest single increase sought in the amendment is for title I, aid to disadvantaged children. This is a program aimed directly at the parts of our population least able to help themselves and least benefited by traditional approaches to financing education.

Yet, appropriating nearly \$2 billion to the title I program obviously cannot do the job if the funds do not go where the children that need them are today. The past decade has seen the most significant shifts in population in the history of our country. Yet today, nearly 2 years after the 1970 census, the Department of Health, Education, and Welfare is still planning to distribute these title I funds for the next fiscal year on the basis of 1960 census figures; which were in fact gathered in 1959. I find it hard to believe that the Congress will sit by and watch its purpose in funding this program derailed by this incredible delay.

I am serving notice on the Census Bureau and the Office of Education that a "business as usual" attitude on this issue is not acceptable. Every congressional district and every State that has increased in population in the last 10 years stands to lose title I funds unless the Census Bureau and the Office of Education get together this month. I intend to keep my colleagues informed of the status of this problem until it is solved.

Mr. HARRINGTON. Mr. Chairman, I rise in support of the labor-health,

education, and welfare appropriations bill before the House today.

The House Appropriations Committee, with few exceptions, has done an excellent job in increasing the terribly inadequate administration requests for funding of the various agencies covered by this bill. This is especially true in the matter of health. I believe the committee should be highly commended for its hard work and obvious recognition of the domestic priorities of this Nation.

I am particularly pleased by the fact that the committee has appropriated nearly \$744 million for mental health. This appropriation represents an increase of \$130 million over the administration's request and an approximately equal increase over the amount appropriated in fiscal year 1972.

The increase over the budget request of \$30 million for staffing grants and \$20 million for construction grants for community mental health centers will help this Nation meet the goal, established by Congress, of total national coverage of community mental health centers by 1980. I cannot emphasize enough how imperative it is that sufficient funds and commitment be made to the continued operation of mental health centers. These centers provide comprehensive, short-term care to large numbers of patients, close to their home communities. As a result in part of the establishment of such centers, the number of patients in State mental hospitals has decreased for the 16th straight year. Fewer persons are now doomed to lives in institutions. Community mental health centers are helping our society to help mentally ill individuals without robbing them of productive and useful lives in the community.

This bill also provides \$7 million for psychiatric residency programs. The administration has requested a zero appropriation for this program. It is important that more doctors be trained in psychiatry in light of the considerable demands for more mental health personnel. With one out of every 10 persons suffering from severe mental illness, we simply must have enough doctors to treat the illness.

One of the finest actions by the committee has been to provide \$20 million for the mental health of children. The President has requested only \$10 million for this program—the same amount as last year. And of that \$10 million, all but \$2 million has been committed for continuing the few programs already in existence. The committee, by doubling the money, has recognized that mentally ill children must not be shortchanged. There are about 4 million children under the age of 18 in the United States with behavioral disorders, of whom 1.4 million are in acute need of mental health care. Of these, only 473,000 receive even minimal attention. In the last 10 years the number of 10- to 14-year-olds in our State mental hospitals has doubled. And, as the committee report states:

During the past year our 360 community mental health centers were flooded with an unanticipated caseload of children with all kinds of problems from school maladjustments to drug addiction and alcoholism. The Committee has been told that more than

150,000 children came to these centers for help, but only about 10 percent could be cared for.

In the State of Massachusetts, many severely disturbed children cannot find assistance in the State and must be sent to schools out of State for any help they need. There is a crying need for better mental health care for children and the appropriation of \$20 million is a start. Frankly, I would like to see a greater national understanding and commitment to the problem of children's mental health and I intend to work in the future toward a more extensive program in this area.

The committee has asked that \$3.6 billion be appropriated for the Office of Education, \$54 million above the fiscal year 1972 funding level. While I think that the committee's increases in this area are to be commended, I believe that our commitment to education should be total.

The Congress has authorized considerably more for education than the committee would have us appropriate. I think we owe it to the children of this Nation to provide additional appropriations, and I will therefore, support and vote for the amendment offered by Congressman HATHAWAY to increase the appropriations figure by the \$363.8 million.

One aspect of the education appropriations bill which disturbs me particularly is the proposal that appropriations for disadvantaged young Americans remain at \$1.597 billion—the same as last year. The needs of the disadvantaged have increased since last year due to inflation and the high cost of living. An appropriation of the same amount is, in effect a cut in the real value of the appropriation. I support the Hathaway amendment which would provide an additional \$212 million for the education of the disadvantaged. Since education is the surest vehicle for the poor and the underprivileged to advance, we must not slight them. If we can spend \$16 million a day to fight the Vietnam war, surely it is not too much to ask that \$212 million—13½ days of war—more be spent to attempt to assure disadvantaged children the necessary education that he or she needs to develop to the best of his abilities.

The other increases in the Hathaway amendment—for State libraries, vocational education, impact aid, adult education, library services, and construction—help to meet the further educational needs of America. Although at this stage they are only marginal increases, the benefits gained from such increases outweigh the additional costs when one realizes that better funding will help provide more American children with the education they need to make a better society in the future.

I have, Mr. Chairman, supported the Hathaway amendment in the past and I will vote for it again today.

I also support Representative BADILLO's amendment to title III that would increase the appropriation from \$45 million to \$60 million for bilingual education. Again, this marginal increase in the funding of this necessary program will have an important effect on those children who have a language barrier in this

country. The additional funding in this case would permit 110 new projects to be implemented and an additional 90,000 students to be assisted. There are an increasing number of bilingual children throughout the country, and we must meet the needs of these children if they are going to become an essential part of our American society. These children are at one of the most severe disadvantages—not knowing the language in which they are being taught. Unlike other disadvantages this can be overcome through the bilingual education programs.

Finally, I support the Peyser amendment that would increase the approved appropriations for environmental education from \$4 million to a level of \$10 million. This program provides grants to groups and schools for studies of environment. As the U.S. Commissioner of Education, S. P. Marland, Jr., has stressed, it is clear that education is central to any serious attempt to abate pollution and maintain a quality environment. With a strong environmental education background in the 1970's, the United States will be able to improve significantly the quality of life in the near future.

The present funding was able to provide funds for just 74 grants, although over 1,900 requests for grants under this program were made. Most of the 1,900 requests would qualify for funding if enough money were available. If we are going to have enough sense to take a responsible look at our own environment, then we must have enough funds to provide for environmental education. The \$10 million is not enough, but it will at least allow us to get the program off the ground and determine future needs better.

I urge support of the Hathaway, Badillo, and Peyser amendments and a vote for the entire bill.

Mr. HANSEN of Idaho, Mr. Chairman, I am extremely pleased to note that the appropriation bill before us today includes \$130 million for the National Institute of Neurological Diseases and Stroke which represents \$12 million over the amount requested, and nearly \$14 million over the amount appropriated for the last fiscal year. I applaud the committee's action which shows its keen awareness of the vital importance of the work and research being conducted by the Institute.

I note that in the committee's report, the Institute is directed to give high priority to many activities currently under way, and included in the research efforts the committee has directed the Institute to give high priority to "eventually finding means of either regenerating the spinal cord or by-passing it electrically."

This is very good news for those among us who have been closely following the efforts of our leading neuroscientists to find a cure for paraplegia. I earlier documented the case for such efforts in the CONGRESSIONAL RECORD on July 21, 1971, and February 24, 1972. Since then, there have been several encouraging developments which indicate that increasing attention is being focused on the problem by responsible officials within and out-

side of Government. Such attention and support are vital, as the scope of the necessary research effort will be massive and will require a complete national commitment both in effort and money. As we know, Mr. Chairman, the victims of paraplegia can be crippled by illness, by war, and by tragic accidents such as recently befell Governor Wallace. The cost to the Nation of this illness is staggering both in human and economic terms, and we simply must go forward with these modest beginnings, so that a cure can someday be found.

Another encouraging development was the announcement on March 13, 1972, by the National Institute of Neurological Diseases and Stroke, that the name of the existing section on trophic nerve function was being changed to that of the section on nerve regeneration. It is, I believe, a symbolically important step in the right direction as it indicates the NIND's recognition of the legitimacy of the scientific inquiry, and, with funds made available to it under this bill, commits the Institute's new section on nerve regeneration to an active leadership role in the search for a cure for paraplegia.

A final item which I wish to call to the attention of my colleagues is the announcement of the awarding of the National Paraplegic Foundation's first \$10,000 William Thompson Wakemen Basic Research Award.

I wish to extend my sincere congratulations to the coreipients of the award, Dr. William F. Windle and Dr. Roger W. Sperry, who, as winners, were judged to be the scientists who have made the most significant contribution toward finding an eventual cure for paraplegia. Dr. Windle and Dr. Sperry were selected by a special National Paraplegic Foundation panel of scientific and medical personnel prior to the Foundation's second International Neuroscientific Conference held in Palm Beach, Fla., May 1-3.

The current president of the National Paraplegic Foundation, Prof. Timothy J. Nugent stated in naming the recipients that:

The panel recognize the existing preliminary results and the potential for future accomplishments of the scientists currently at work. For the first award, it chose two distinguished scientists whose main contributions were made over a span of many years, beginning a long time ago, because their research and inspired leadership has been largely responsible for inducing many others to embark on research related to spinal cord injuries.

I agree with Professor Nugent who concluded that the award represents a milestone in the history of medical science and rehabilitation.

Dr. Windle, from Denison University, Ohio, was cited for recognition of his dedication over many years to the problem of paraplegia and the repair of the injured spinal cord; for his original research which showed that regeneration of nerve fibers across the severed spinal cord is possible; and for his continuing inspiration to others.

Dr. Sperry, from the California Institute of Technology, was named recognition of his contributions in basic research on factors responsible for func-

tional regeneration in the central nervous system and for his distinguished contribution to concepts of chemical selectivity in the establishment of appropriate nerve connections. His work is fundamental to the eventual solution of the problem of spinal cord regeneration.

Dr. Windle and Dr. Sperry will present papers on their research and receive plaques, citations and \$5,000 honorariums at the National Paraplegic Foundation annual meeting in Milwaukee, June 28.

Mr. MICHEL, Mr. Chairman, as we conclude debate on this bill, there are several other major items on which I would like to make a few brief comments. These include the appropriation for the Social and Rehabilitation Service, the Social Security Administration, the special institutions, and related agencies.

SOCIAL AND REHABILITATION SERVICE

A number of SRS items were not considered by the committee because they lacked authorization. Among these are the work incentive programs, most of the rehabilitation programs designed to return physically or mentally handicapped persons to gainful employment, some of the special programs for the aging, and most of the training programs. Budget requests for these items total over a billion dollars.

Your committee did, however, provide \$100,000,000, the full amount of the budget request, for nutrition programs for the elderly. Authorized in the current session of Congress, these programs provide grants to the States for up to 90 percent of the cost of meals for persons and their spouses over 60 years of age. It is estimated this amount will provide low cost, nutritional meals to approximately 400,000 older persons daily in fiscal year 1973. The amount approved by the committee includes \$400,000 for administrative costs.

Although the developmental disabilities program did not lack authorization, the committee decided not to consider it at this time because it is so closely related to the other social and rehabilitation service programs for which authorization was lacking.

This was not an oversight, and your committee is assured that this important program will not be injured or hampered if it is not included in this appropriation bill. It will be considered with the other SRS programs at a later time.

Of course, the biggest item in this section of the bill is grants to states for public assistance, which accounts for nearly half of the total funds contained in our bill, excluding the trust funds. Five separate appropriations are contained in this category: maintenance assistance, medical assistance, social services, State and local training, and child welfare services.

The first, maintenance assistance, is funded at \$7,554,108,000. This is \$845,650,000 over the 1972 level.

Under formulas established by Congress, the Federal Government reimburses the States for payments made to eligible needy persons—dependent children deprived of parental support or care, the aged, the blind, and the dis-

abled—for food, shelter, clothing, and other necessary items of daily living; also, for the costs of vendor payments made to intermediate care facilities for the aged, blind, and disabled; and for the costs of State and local administration of the program. Repatriation is 100 percent Federal funds for financial assistance and services provided to U.S. nationals repatriated from abroad because of mental illness, other illness, destitution, or international crises.

The maintenance assistance programs are administered by the States with the financial participation of the Federal Government, and under Federal policies and regulations. The scope of coverage and assistance standards are set forth in State plans approved by the Federal Government as being in accord with these regulations and the provisions of the Social Security Act.

In fiscal year 1972, it is anticipated that maintenance assistance will be made to a monthly average of about 14.3 million needy recipients, with the majority of the assistance to families with dependent children—over 11 million recipients—and to the aged—over 2 million.

It is estimated that in 1973 maintenance payments will be made to a monthly average of about 16 million recipients including 12.6 million under aid to families with dependent children and 2.1 million under old-age assistance.

The second item, medical assistance, is funded at \$4,477,687,000, which is \$426,056,000 above the 1972 level.

Grants for medical assistance under title XIX of the Social Security Act (medicaid) are made to States having plans approved by the Department of Health, Education, and Welfare. The purpose of title XIX, which became effective in January 1966, is to assist States to provide higher quality medical care to their low-income population.

Federal financial participation in medicaid payments varies from a minimum of 50 percent to a maximum of 83 percent depending upon the per capita income of the State. The Federal program requires that eligible recipients include, as a minimum, all persons receiving or eligible to receive maintenance payments under the Social Security Act and eligible children under 21 who are not in families. In addition, States may elect to cover certain medically needy persons who are eligible for help only with their medical bills and, hence, do not receive maintenance payments. Medicaid complements the Federal medicare program by paying the deductible and coinsurance for the needy aged, by paying their premiums for medicare's supplementary medical insurance program, and by paying for services not covered by medicare; for example, long-term skilled nursing home care or prescription drugs.

The next item, social services, is funded at \$1,241,348,000, or \$121,933,000 below last year's appropriation.

Social services are authorized under the 1967 Amendments to the Social Security Act. The purpose of this program is to provide a full range of social services to public assistance recipients and former or potential recipients.

Services are provided to recipients of aid to families with dependent children, and to the adult categories receiving old age assistance, aid to the permanently and totally disabled, and aid to the blind. Grants are made to States based on a rate of 75 percent Federal financial participation for AFDC and either 75 percent or 50 percent for the adult programs.

Adult services are being extended to 51 States and jurisdictions. It is expected that 48 States will adopt the mandatory services required under the new Federal adult service regulations in order to qualify for 75 percent Federal financial participation.

States are being assisted to complete the separation of social service functions from income maintenance. Fifty-one States have participated in separation to some extent. Complete caseload separation has occurred in the AFDC category in 18 States; in OAA, 12 States; in AB, 12 States; and in APTD, 12 States.

Approximately 644,000 adults and 4,151,000 families, including 12 million children, are expected to receive one or more social services under the AFDC program during 1972.

During 1973, restructuring of the social services program will be a priority. Administrative controls will include the following: First, a program and financial planning system, second, a management information system for monitoring and evaluation, third, revision of regulations which will require States to develop a goal-oriented social service system, fourth, issuance of regulations that will formalize requirements for separation of social services functions from income maintenance activities, fifth, issuance of new policy and procedures on the purchase of services and use of donated funds. These initiatives are expected to result in Federal savings of \$184,000,000.

Approximately 1,050,000 adults and 6,670,000 families, including 16,200,000 children, are expected to receive one or more social services during 1973.

The fourth item, State and local training, is funded at \$50,561,000, which is \$4,797,000 over the 1972 level.

Under the 1962 amendments to the Social Security Act, Federal financial participation at the 75-percent rate is available to States for costs of training public assistance staff or persons preparing for employment in public assistance agencies. The 1967 amendments require States to provide for the training and effective use of subprofessionals as community service aides and of volunteers.

This program enables State and local public assistance agencies to provide educational leave for employees, stipends for individuals preparing for employment, agency inservice training programs for employees, and educational and training contracts for training.

Training focused on orientation to the agency was provided to persons in new careers as well as persons entering one of the technical or professional areas. Training of subprofessionals and volunteers was added to the regular ongoing training programs. Special emphasis was placed on training for new service delivery systems and on quality control training of staff.

Specific training was provided for the jobs of determining and maintaining eligibility for financial assistance and delivery of services as States move into the separation of financial assistance and service functions.

In fiscal 1973, States will have separated the financial assistance and service functions which will necessitate the retraining of more personnel as well as training new employees for these functions. This will mean extensive retraining of all employees for an entirely new program responsibility and series of agency relationships as different parts of government assume responsibilities which the public welfare system has formerly performed.

Finally, the last item of this section of the bill, child welfare services, is funded at \$46,000,000, the same level as the 1972 appropriation.

Child welfare services are authorized under title IV-B of the 1967 amendments to the Social Security Act. The purpose of this program is to provide essential child welfare services to children in their own homes, or in foster homes or institutions.

Child welfare services are extended to children in need of such services without regard to financial need, legal residence, race, or religion. Each State receives a uniform grant of \$70,000 and an additional grant which varies directly with child population under 21 and inversely with average per capita income.

In 1972, States are being encouraged to coordinate child welfare services more closely with the social services program of AFDC and to use child welfare services to fill the gaps that cannot be reached through the AFDC social services program. Approximately 614,000 children will receive services under this program in 1972. Total expenditures are estimated at \$575,000,000 with Federal financial participation being approximately 8 percent.

I should just note here before we leave Grants to States for public assistance that these requests were based on estimates that were received from the States last November and based on past experience, I think we can brace ourselves for a large supplemental request later this year.

SOCIAL SECURITY ADMINISTRATION

In the appropriation for the Social Security Administration, we have five major items of interest: First, matching payments for supplementary medical insurance; second, hospital insurance for the uninsured; third, military service credits; fourth, retirement benefits for certain uninsured persons; and, fifth, special benefits for disabled coal miners.

Three of the first four activities represent payments to reimburse the trust funds for benefits chargeable to general revenues. The fourth effectuates dollar-for-dollar matching from Federal funds of premiums paid by or for individuals covered under the voluntary supplementary medical insurance program. In all four situations, the amount of the payments to be made derives from the exercise by individuals of their rights under the law and is not subject to administrative control.

The amount of funds required for Federal matching of premiums paid by or for individuals in the voluntary medical insurance program is dependent on the number of persons enrolled in the program and the premium rate which has been promulgated by the Secretary of Health, Education, and Welfare for the fiscal year for which funds are appropriated.

Appropriation estimates for payments to the trust funds for the cost of hospital insurance for the uninsured, noncontributory military service credits and retirement benefits for certain uninsured persons aged 72 and over are based on benefits paid or to be paid to individuals protected by these provisions of law and the related administrative and interest costs.

During fiscal year 1972, the average number of enrollees in the supplementary medical insurance program is expected to grow to 20,500,000 in 1973. The standard monthly premium rate and the Federal matching payment will be increased from \$5.60 to \$5.80 effective July 1, 1972, essentially for increases in the utilization and cost of covered services. Approximately 11,400,000 individuals will receive reimbursed services and \$2,455,000,000 in supplementary medical insurance benefits will be paid. In 1973 approximately 1,405,000 uninsured persons—162,000 less than in 1972—will be eligible for hospital insurance, and an estimated \$548,000,000 in benefits will be paid for this group.

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The appropriation for the first four items constitutes payments to Social Security Trust Funds which, in fiscal 1973 is estimated at \$2,475,485,000, some \$10,188,000 over the amount appropriated for 1972.

The appropriation for special benefits for disabled coal miners would be \$557,788,000 for fiscal 1973, an apparent reduction of more than \$375 million below the 1972 funding level. This is due to the fact that the 1972 appropriation covered payments for the two preceding years.

The benefit payment estimate includes monthly payments to 125,000 miners and widows who were on the benefit rolls as of June 30, 1971, and to an additional 86,000 miners and widows to be awarded payments during fiscal year 1972. About 37,000 of the awards to be made in 1972 result from reconsiderations and appeals filed by claimants previously disallowed and these awards include from 18 to 29 months of retroactive payments. The number of awards resulting from reversal of previous denials and carrying large retroactive payments is expected to decline to about 14,000 in 1973. In addition under present law, the

Social Security Administration will have jurisdiction over only a relatively few new claims filed after December 31, 1972, and will not make monthly payments to living miners who filed claims during calendar year 1972 for months after 1972. These payments and most new claims filed after December 31, 1972 will be handled by the Department of Labor and the State workman's compensation agencies. However, the ongoing level of benefits increases in 1973 because of the number of beneficiaries added to the rolls in 1972. These several factors result in a reduction of \$23,000,000 in the level of benefit payment obligations estimated for fiscal year 1973 as compared with fiscal year 1972.

Current estimates for administrative expenses for this program anticipate the receipt of 43,000 claims in 1973 as compared with an estimated 89,000 claims in 1972. Also, reconsiderations to be processed are expected to decrease from 91,000 in 1972 to 26,000 in 1973. However, the other major workload, requests for hearing processed is estimated to increase from 23,000 in 1972 to 28,000 in 1973. Workloads related to the maintenance of the beneficiary roll will continue to rise slightly. The net effect of these changes is a composite reduction of 20 percent in the volume of work performed by Social Security Administration personnel and a reduction of about 70 percent in the number of cases handled by the State agencies for the development of additional medical evidence.

Turning now to the special institutions, the bill includes \$1,696,500 for the American Printing House for the Blind, an increase of \$116,500 over the 1972 level.

The purpose of the American Printing House for the Blind, under the act, "To promote the education of the blind," is to provide educational materials to students, of less than college grade, who attend public schools and classes with sighted children and blind students who attend special schools and classes for the blind.

All superintendents of schools for the blind and of public instruction in the various States, or their designees, are ex-officio trustees of the Printing House in the administration of the Federal act "to promote the education of the blind." This group meets annually, in October each year, at the Printing House and elects the various Advisory Committee members to work with the Printing House in textbook adoption and tangible apparatus to be produced and educational research. In addition to producing the newly adopted materials for the next school year, the Printing House makes the necessary reprints and keeps in stock a finished goods inventory of more than \$1,500,000 in order to serve the needs of the schools for the blind and State Departments of Education on a current order basis.

The bill also includes \$4,694,000 for the National Technical Institute for the Deaf, the amount of the budget request.

As authorized by Public Law 89-36 the Secretary of Health, Education, and Welfare entered into an agreement with the Rochester Institute of Technology

for the establishment, construction, and operation of the National Technical Institute for the Deaf. Its purpose is to provide a coeducational, residential facility for post-secondary technical training and education for persons who are deaf in order to prepare them for successful employment.

In 1972 the education and training programs are expanding to serve 431 students from 40 States; several new vocational technical training programs are being started; the integrated social and recreational programs for deaf students are being continued; job placement efforts are being intensified and follow-up research is being initiated; and computer assisted instruction and picture-telephone applications are being broadened.

In 1973, 503 students will be enrolled; job placement employer contacts will be multiplied considerably; comparative curricula studies will be conducted; new communications programs will be initiated; innovative uses of computerized instructional systems will be investigated; and much will be done to automate student and administrative data gathering and reporting.

For the Model Secondary School for the Deaf, the bill includes \$4,625,000, the same of the budget request.

To break through some of the barriers that limit the educational achievement of young deaf people and resolve some of the problems in teaching and learning so that deaf students who attend this high school can achieve at levels more comparable to the achievement levels of hearing high school students; to provide administrative and support services to the Model Secondary School for the Deaf as a whole, and to provide student services for the welfare of the student body; to demonstrate how programs of the quality of the Model Secondary School for the Deaf may be developed in other regions with State and local resources.

This activity includes obligations incurred for the instructional program to provide individualized secondary education for young deaf persons in preparation for higher education and for vocational training. Also, included under this activity are obligations incurred through educational support and general administrative services.

In fiscal year 1972, the emphasis was placed on a program of evaluation of student achievement and the effectiveness of materials and methods in use. The instructional staff continued to produce instructional materials appropriate for computer-assisted instruction, and technological contributions to education were explored. An entire high school curriculum must be developed over the next 2 or 3 years; therefore, the development of curriculum materials continued to receive priority. A pilot residence program provided for current student enrollment with experiments in patterns of residential living that show promise for use in the permanent facility. Continued experimentation within the temporary facility with respect to furniture and equipment configurations was planned. Continued improvements in the student services program were initiated.

In fiscal year 1973, the Model Second-

ary School for the Deaf will continue to develop and provide a program of excellence for the present student body. Extensive emphasis will be placed on developing instructional materials of an individualized nature including filmed, televised, computerized and other technological formats. Increased efforts in the evaluation of student progress and of the effectiveness of methods in use will be undertaken to lend direction to instructional planning. Audiological, psychological, social work, health, and other professional service components of the school program require further development prior to a major increase in the student body. The Model Secondary School for the Deaf additionally will respond to the commitment to serve other schools in the region and nationally through dissemination enterprises.

Also included in the bill is \$14,446,000 for Gallaudet College, an increase of \$4,960,000 from the budget request. The increase over the budget is for completion of the updating of the college's utility system.

This appropriation consists of two major activities: College operations and Kendall Demonstration Elementary School.

The college operations activity is responsible for instructional programs in the undergraduate college, graduate college, preschool, summer school, the library, public services, continuing education, research and for student aid. Also included in this activity are the administrative offices, business management, support and student services.

The obligations for this activity include salaries and benefits for departmental chairmen, teaching staff and their supporting staff and staff personnel, office and laboratory expenses, travel, equipment and other departmental expenses.

Funds requested are to initiate more of the Role and Function Committee's recommendations as described in the new era report. It is extremely important that the latest technological advances be brought to the institution to assist our students in learning. Funds are requested to expand the tutorial program which will provide an opportunity to deaf students to improve as rapidly as possible in language skills and basic academic studies needed for college entrance. Another important part of the request are funds in order to provide more courses, seminars, study tours, and grants in aid. Also, funds are requested for teaching and nonteaching faculty salaries in order to remain competitive with other institutions of higher education in the metropolitan area. The custodial services, along with the preventive maintenance program, must be upgraded in order to provide a physical environment that is conducive to learning. The expansion of the institution necessitates a more sophisticated administrative support system along with an increase in student services.

This activity is responsible for carrying out the mandate of Public Law 91-587 to convert the present Kendall School into a demonstration elementary

school for deaf children residing in the Washington metropolitan area.

The obligations for this activity are primarily focused upon areas of presently inadequate, insufficient, or nonexistent program support of the present Kendall Demonstration Elementary School. Major areas of increase include supportive staff, teacher aides, special services, instructional equipment, supplies and materials expenses, as well as the establishment of a program management sector to develop a program effectiveness and budgetary impact data system.

The committee agreed to the budget request of \$58,881,000 for Howard University. This will provide for salary increases, improvements in the university's academic program, and in the operation of Freedman's Hospital, as well as funds for construction.

This appropriation provides support for the total program of the university, including subactivities such as instruction and departmental research; research and training sponsored by outside organizations and agencies; libraries that serve the several areas of specialized instruction; administrative and support services; operation and maintenance of the physical plant; auxiliary enterprises; and student aid.

Instruction, with its supporting subactivities, provides education on the undergraduate, graduate, and professional levels for students who find it difficult, or impossible to secure the type of quality of training of their own choosing within their locality. While this education is available at Howard University to all without regard to race, creed, or national origin, the university undertakes to give special attention to the needs of blacks and other minorities.

The university will provide needed improvements in its educational program in 1972 by, first, establishing 82 new teaching positions in liberal arts, medicine, dentistry, social work, urban affairs, business education, and communications; and providing 74 new positions as support for the teaching staff; second, continuing improvement of faculty salaries at a reasonable level of comparability, and, third, providing additional support for campus safety and security; air-conditioning Founders library, and installing of the centrex telephone system.

The overall goal of the university in 1973 is to make major strides in strengthening all programs and services of the university to provide more effective teaching in all academic units, and to establish it as a leader and pioneer in selected and strategic areas of higher education. Specifically, the university will continue to seek improvement of faculty salaries in order to remain competitive; seek increase in the number of teachers to attain the student-faculty ratio required for quality instruction and faculty productivity and continue progress in the development of new academic programs initiated in fiscal year 1971-72.

The Freedman's Hospital furnishes inpatient and outpatient care for the community and serves as a facility for training of physicians, nurses, professional,

and technical health personnel. It is the teaching hospital for Howard University's health center.

Operation of the hospital is financed by direct appropriation and income derived from charges for medical and hospital services to patients, medicare patients and patients certified by the District of Columbia and other jurisdictions. The hospital operates a total of 428 beds and 60 bassinets.

In 1971 the hospital provided inpatient care for an average daily census of 391.0 patients—including newborn—and 128,153 outpatient visits were provided. The inpatient level was 2 percent above the 1970 average daily census. Outpatient visits were 7.8 percent above original estimates.

In 1972 it is expected that inpatient load will increase over the 1971 level to an average daily census of 398 patients. The outpatient visit level is also expected to continue its rising trend and reach a total of 132,000 outpatient visits. Because of a change in student demand, there will be a shift in emphasis from the diploma nursing school to the baccalaureate nurse program in the academic program activity.

The basic long-term objective of the Freedman's Hospital is to operate an efficient institution providing a good quality of patient care to its patient clientele in the Metropolitan Washington area, functioning as a fully adequate locale for the teaching functions of Howard University and for the training of paramedical personnel and utilizing the resources that are available in patient material and professional talent to develop a creative and effective research program.

Patient load estimates for 1973 envision a further increase in average daily census to 406 and outpatient visits to 131,000, increases of 4 and 10 percent respectively.

Turning now to the related agencies, the committee appropriated a total of \$106,665,000 for these agencies in fiscal 1973.

For the Commission on Railroad Retirement, the bill includes \$101,000, the amount of the request and a decrease of \$391,000 from the 1972 level.

The Commission was established under section 7 of the Railroad Retirement Act Amendments of 1970 (Public Law 91-377), as amended (Public Law 92-46), to conduct a study of the railroad retirement system and its financing for the purpose of recommending to the Congress changes which would provide adequate levels of benefits on an actuarially sound basis. The Commission is required to submit its final report on or before July 1, 1972, and is allowed 60 days thereafter for orderly termination of its activities. The appropriation for 1973 provides for the termination period.

The bill provides \$10,650,000 for the Federal Mediation and Conciliation Service, the amount of the budget request and an increase of \$240,000 from last year.

The Service under title II of the Labor Management Relations Act of 1947, assists labor and management in mediation and prevention of disputes affecting

industries engaged in interstate commerce and defense production, other than rail and air transportation, whenever in its judgment such disputes threaten to cause a substantial interruption of commerce. Under the authority of Executive Order 11491 of October 29, 1969, as amended by Executive Order 11616, dated August 26, 1971, the Service also makes its mediation and conciliation facilities available to Federal agencies and organizations representing Federal employees in the resolution of negotiation disputes.

The committee agreed to the budget request of \$1,260,000 for the Cabinet Committee on Opportunities for Spanish-Speaking People, an increase of \$370,000 over the 1972 appropriation.

The Cabinet Committee on Opportunities for the Spanish-Speaking People was created on December 30, 1969, by Public Law 91-181. The primary functions of the committee are to advise Federal departments and agencies regarding appropriate action to be taken to help assure that Federal programs are providing the assistance needed by Spanish-speaking and Spanish-surnamed Americans; and to advise Federal departments and agencies on the development and implementation of comprehensive and coordinated policies, plans, and programs focusing on the special problems and needs of Spanish-speaking and Spanish-surnamed Americans, and on priorities thereunder.

Included in the bill is \$406,000 for the National Commission on Libraries and Information Science, the amount of the budget request and an increase of \$206,000 over last year.

The Commission is a permanent, independent agency composed of the Librarian of Congress and 14 members appointed by the President, five of whom are professional librarians or information specialists. The Commission was appointed in May 1971, and is responsible for developing plans for meeting the library and information needs of the Nation, for coordinating Federal, State, and local activities to meet these needs, and for advising the President and Congress on national library and information science policy.

The bill includes \$1,440,000 for the National Commission on Marihuana and Drug Abuse, an increase of \$300,000 over the budget request and an increase of \$212,000 over 1972.

The National Commission on Marihuana and Drug Abuse was created by Public Law 91-513, as amended by Public Law 92-13. The Commission will be in existence for a period up to 26 months to conduct a study of marihuana including the extent of its use, the efficacy of existing laws, its pharmacology and effects, its relationship to crime and other drugs, and its international control. The Commission will also conduct a study and investigation into the causes of drug abuse and their relative significance.

On the basis of its study, the Commission will make recommendations to the President and the Congress, for legislative and administrative action.

The budget request of \$50,456,000 for the National Labor Relations Board was

appropriated by the committee, and increased of \$1,988,000 over 1972.

The Board resolves representation disputes in industry and remedies and prevents specified unfair labor practices by employers or labor organizations. Similar responsibilities for the new U.S. Postal Service were assumed on July 1, 1971. Additional funds are requested to enable the Agency to process a steadily rising caseload of both unfair labor practice and representation cases. Estimates for 1973 reflect an intake increase over 1972 of 7.7 percent for unfair labor practice cases and 5.6 percent for representation cases including Postal Service filings.

The bill also included \$2,888,000, the amount of the budget request, for the National Mediation Board. This appropriation is \$92,000 over the 1972 level.

The Board mediates labor disputes and determines collective bargaining representatives for the 700 carriers and the 1 million employees in the railroad and airline industries.

When mediation fails, the parties are urged to submit their differences to arbitration. If neither mediation nor voluntary arbitration is successful, the President, when notified of disputes which threaten seriously to interrupt service, may appoint an emergency board to investigate and report on the disputes as a basis for agreement.

Railroad employees and carrier grievances resulting from application of collective bargaining contracts may be brought for settlement of the National Railroad Adjustment Board. The Board is composed of carrier and union representatives compensated by the parties. Administrative direction and guidance is provided by the administrative officer designated by the National Mediation Board. The appropriation also provides for neutral referees to sit with the Board when they are deadlocked. Boards of Adjustment, previously carried under activity 2, are also financed under this activity.

The bill includes \$5,979,000 for the Occupational Safety and Health Review Commission, the amount of the budget request and an increase of \$4,346,000 over last year.

The Review Commission, established by the Occupational Safety and Health Act of 1970, is empowered to provide a forum for the adjudication of contested enforcement actions instituted by the Secretary of Labor. The Commission holds factfinding hearings and issues orders affirming, modifying, or vacating the Secretary's enforcement actions.

This large increase is needed to provide additional personnel to enable the Commission to keep abreast of its rapidly expanding caseload.

Under the Railroad Retirement Board, the bill includes \$21,645,000 for payments for military service credits, the amount of the budget request, and \$19,822,000 for limitation on salaries and expenses, also the amount of the budget request.

The Board administers the Railroad Retirement Act which provides a program for the payment of regular annuities for age and disability and benefits for survivors, financed by taxes paid

equally by employers and employees. The Board also participates in the administration of the hospital and medical insurance programs for persons covered by the Railroad Retirement Act for which it is reimbursed in part by the Social Security Administration, the activity of which is reflected in the advances and reimbursements account.

The Board also administers a program for the payment of supplemental annuities under certain conditions to career railroad workers awarded regular retirement annuities after June 1966, financed by a tax paid by employers based on the number of man-hours for which they pay compensation. The supplemental annuity paid to employees is in addition to the regular railroad retirement annuity.

And for the U.S. Soldiers' Home, the bill includes authority to use \$11,596,000 for the Soldiers' Home Permanent Fund, the amount of the request, and an increase of \$13,000 over the amount authorized for fiscal year 1972. It also includes \$244,000 for capital outlay, the amount of the budget request, and an increase of \$164,000 over the 1972 level.

The U.S. Soldiers' Home provides medical and domiciliary care and other authorized benefits for the relief and support of certain old, invalid, or disabled soldiers of the Regular Army and airmen of the Air Force. Funds for operation and maintenance of the Home are appropriated from the Soldiers' Home permanent fund—trust fund—and not from the general funds of the Treasury.

Mr. GUDE. Mr. Chairman, I rise in particular to congratulate the House Appropriations Committee for a bill which increases the funds for programs in the field of medical research and the delivery of health care. As I pointed out in my remarks on May 10 on the floor of the House, the proposed budget for fiscal 1973 could be a serious blow to the ongoing program of important and lifesaving programs, both at the National Institutes of Health and at the National Institute of Mental Health. I take great pride in the fact that both the National Institutes of Health and the Health Services and Mental Health Administration are located in my district.

I am particularly grateful to the committee for the increase of \$30 million in staffing grants for community mental health centers. However, I must point out in all fairness that a considerable portion of this increase will go to mental health centers which were approved in fiscal 1972, but were not supported, because of lack of funds. For example, the entire State of Maryland received only \$718,000 in staffing grants in fiscal 1972.

Let me point out several concrete examples of what this means: The Upper Montgomery County Mental Health Center, located in the Montgomery General Hospital at Olney, has been constructed with matching Federal and State support. However, the key to its successful operation is an adequate professional staff. It has been almost a year since its staffing grant application was approved, but it has yet to receive any funds because of the fiscal stringency crippling the entire mental health center program in this country.

The 300 fully operating mental health centers in the country are doing a magnificent job of reducing the patients in residence in our State hospitals. As pointed out in the hearings before the House Appropriations Committee this year, the reduction of almost 50 percent in the number of patients incarcerated in our State mental hospitals in the past decade alone has saved the States and localities several billions of dollars.

We need at least 10 more mental health centers in Maryland and my county has already benefited considerably from State and local support monies; we feel the Federal Government should provide support to a corresponding degree.

For example, the Silver Spring-Takoma Park Mental Health Center will open in September of this year. It has received financial support from the State, from the county and from the Washington Sanitarium and Hospital, and it is now preparing a staffing grant application to the Federal Government. I hope and urge that it will be funded with the increases recommended in the bill before us today. It is desperately needed.

Although the Holy Cross Hospital opened a small psychiatric unit just a month ago with its own funds and staff, there is still a great need for a comprehensive mental health center in that area. The citizens of that portion of my district are working with the Community Psychiatric Clinic, the Montgomery County Health Department, and the State to construct or purchase a building located near Holy Cross Hospital. If a building can be purchased for a reasonable amount of money, another staffing grant application will come in from my district within the next few months.

In the entire Bethesda catchment area there is not a single mental health center despite the enormous growth of our population in Montgomery County over these past few years.

Mr. Chairman, I must repeat my hope that the \$30 million which the House Appropriations Committee has added to the administration's request for mental health staffing grants will cover these needs which I have cited and others which times does not permit me to list. However, if it is determined that these additional moneys are not sufficient, I would respectfully suggest that the members of the Labor-HEW subcommittee take a positive attitude toward any additional increases for centers' staffing which the other body may approve. We are behind in funding these centers and I hope that this year's appropriation will mark a turning point toward adequate Federal support of this vital programs.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. FINDLEY).

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. FINDLEY. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk concluded the reading of the bill.

Mr. FLOOD. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments 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. 15417), making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1973, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. FLOOD. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. BOW

Mr. BOW. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. BOW. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Bow moves to recommit the bill H.R. 15417 to the Committee on Appropriations with instructions to that committee to report it back forthwith with the following amendment:

On page 40, after line 4, insert a new section as follows:

"Sec. 409. From the amounts appropriated in this Act, exclusive of salaries and expenses of the Social Security Administration, activities of the Railroad Retirement Board, operations, maintenance and capital outlay of the United States Soldiers' Home and payments into the Social Security and Railroad Retirement trust funds, the total available for expenditures shall not exceed 95 per centum of the total appropriations contained herein."

Mr. BOW. Mr. Speaker, this of course is what has been known over the years as the Bow amendment, which has been adopted by this body on several occasions and rejected on some occasions. It will be called a meat-ax cut, but sometimes it is well to get out the meat ax. This is the first time I have offered this for some time, but when we see what has happened here today and what is happening to the situation in our country, I could not resist it now because with the bill as it is this is going to save approximately \$1.4 billion.

This only provides that we are going to cut it down to 95 percent in expenditures—not in appropriations but in ex-

penditures—of what we are authorizing today, and it protects the Social Security Administration, the Railroad Retirement Board, the Soldiers' Home, and payments in social security.

I can look forward, Mr. Chairman, to a vote within the near future on extending the debt limitation, and I wonder about those who have been voting here today to increase these amounts and this great debt with these great appropriations—how are they going to vote when it comes to the question of the increase in the debt limitation and whose responsibility it will be then?

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

Mr. BOW. I yield to the minority leader.

Mr. GERALD R. FORD. Mr. Speaker, the only way to insure that this loaded and bloated appropriation bill will not be vetoed is to vote for the motion to recommit. A 5-percent expenditure cut below the appropriation will save the expenditure of approximately \$1.3 billion in fiscal year 1973, and that amount is approximately the total added in appropriations over the budget submitted by the President.

Our memories ought to take us back to 1970 when in that year on this appropriation bill we did almost exactly as we are doing today. The net result was there was a veto, it was sustained, and the HEW-Labor appropriate bill did not become law until well after the school year started for elementary and secondary schools, and the school administrators the length and breadth of the country objected to the uncertainties as a result.

If this bill is not cut back by the Bow amendment, at least in my judgment there is a very high degree of likelihood we will have a replay of 1970.

Mr. Speaker, for that reason I strongly urge, to avoid the problems of 1970, that we support the motion to recommit and avoid the possibility, a distinct one, of a veto and the problems that would result thereafter.

Mr. BOW. Mr. Speaker, I appreciate the remarks of the distinguished minority leader. I urge my colleagues who are for fiscal responsibility, to try to stop this trend and to vote for this motion to recommit. It is a difficult one to vote for, but I hope the Members will support it.

Mr. FLOOD. Mr. Speaker, I rise in opposition to the motion to recommit.

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

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

Mr. BOGGS. Mr. Speaker and Members of the House, this is not a new argument. We have been advised, to use a very soft word—I would prefer to use the word "threatened"—on several occasions by the minority leader and others that if the House works its will on a given piece of legislation, it will be vetoed, and therefore we must fall back and rescind what we have accomplished here in the past several days.

Mr. Speaker, all of us stand here occasion after occasion and talk about this being the great Chamber of the representatives of the people, the place where

the laws are considered and made. I just do not believe that we have to be threatened and intimidated by the notion that the Chief Executive, the President, is going to veto this bill.

I believe this is a good bill. The Members have worked hard and long and diligently to perfect the bill.

I know it can be argued that the amounts are somewhat above what the budget recommended, but I would say that when we look at the needs in these areas of health and education, the demands all over this country, and when we look at this plus trillion-dollar economy of ours, what we have done is anything but generous. The amount of the national commitment to education in this country is unfortunately less than it is in most countries in the Western World. We pay a penalty for it, a very dear penalty, because unfortunately the standard of education in this country has suffered accordingly.

Mr. Speaker, I commend you on the fine job you have done, and I commend your colleagues. The bill has been accepted by and large. Some amendments have been adopted. That is the legislative will of this body.

I hope that none of us will be threatened and cajoled and intimidated by a Presidential veto. If the President wants to veto the bill, that is his privilege. We will bring it back here and see whether or not we can override the veto.

Mr. FLOOD. Mr. Speaker, I wish to add nothing more than I said in opposing the amendment of the gentleman from Illinois, which was soundly defeated.

Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

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 138, nays 208, not voting 86, as follows:

[Roll No. 207]

YEAS—138

Abbitt	Daniel, Va.	Kemp
Anderson, Ill.	Davis, Wis.	Kuykendall
Andrews, Ala.	Dellenback	Kyl
Andrews, N. Dak.	Dennis	Landgrebe
Archer	Derwinski	Latta
Arends	Devine	Lloyd
Ashbrook	Dickinson	Lujan
Baker	Downing	McCollister
Belcher	Duncan	McCulloch
Bennett	Erlenborn	McKevitt
Betts	Findley	Mallary
Blackburn	Fish	Mann
Bow	Fisher	Mathias, Calif.
Brotzman	Flynt	Mathis, Ga.
Brown, Mich.	Ford, Gerald R.	Mayne
Brown, Ohio	Fountain	Michel
Broyhill, N.C.	Feelinghuysen	Miller, Ohio
Burke, Fla.	Frey	Mills, Md.
Burleson, Tex.	Gettys	Minshall
Cabell	Goldwater	Mizell
Camp	Goodling	Myers
Carlson	Griffin	Nelsen
Cederberg	Gross	Passman
Chappell	Gubser	Pelly
Clancy	Haley	Pettis
Clausen	Hamilton	Powell
Don H.	Hastings	Price, Tex.
Clawson, Del.	Hunt	Purcell
Collier	Hutchinson	Quile
Collins, Tex.	Ichord	Quillen
Colmer	Johnson, Pa.	Rhodes
Conable	Jones, N.C.	Robinson, Va.
Conover	Keating	Robison, N.Y.
Crane	Keith	Roush
		Runnels

Ruth
Sandman
Satterfield
Saylor
Scherle
Schmitz
Schneebeli
Scott
Sebelius
Shriver
Sikes
Skubitz

Smith, N.Y.
Spence
Steiger, Ariz.
Stuckey
Taylor
Teague, Calif.
Teague, Tex.
Terry
Thompson, Ga.
Vander Jagt
Veysey
Waggonner

NAYS—208

Adams	Forsythe	Murphy, N.Y.
Addabbo	Fulton	Murphy, Ill.
Alexander	Galifianakis	Natcher
Anderson, Calif.	Gaydos	Nedzi
Annunzio	Giaino	Nix
Ashley	Gibbons	O'Keefe
Aspin	Gonzalez	O'Neill
Aspinall	Grasso	Patten
Badillo	Gray	Peyser
Barling	Green, Oreg.	Pickle
Barrett	Green, Pa.	Pike
Begich	Gude	Preyer, N.C.
Bergland	Hammer-	Price, Ill.
Bevill	schmidt	Pucinski
Biaggi	Hanley	Rallsback
Bieber	Hanna	Randall
Boggs	Hansen, Idaho	Rangel
Boland	Hansen, Wash.	Rees
Bolling	Harrington	Reid
Brademas	Hathaway	Reuss
Brasco	Hawkins	Riegle
Brinkley	Hays	Roberts
Brooks	Hechler, W. Va.	Rodino
Broyhill, Va.	Heckler, Mass.	Roe
Buchanan	Heinz	Rogers
Burke, Mass.	Helstoski	Roncalio
Burlison, Mo.	Henderson	Rostenkowski
Burton	Hicks, Mass.	Roy
Byrne, Pa.	Hicks, Wash.	Roybal
Byron	Hogan	Ruppe
Caffery	Hollifield	Ryan
Carey, N.Y.	Horton	St Germain
Carney	Howard	Sarbanes
Carter	Hull	Schwengel
Casey, Tex.	Hungate	Selberling
Chisholm	Jacobs	Shipley
Clark	Jarman	Shoup
Clay	Johnson, Calif.	Sisk
Cleveland	Jones, Ala.	Slack
Conte	Jones, Tenn.	Smith, Iowa
Conyers	Karh	Staggers
Corman	Kastenmeier	Stanton
Cotter	Kazen	J. William
Coughlin	Kee	Stanton
Culver	Koch	James V.
Daniels, N.J.	Leggett	Steed
Danielson	Lent	Steele
Davis, Ga.	Long, Md.	Stokes
de la Garza	McClary	Stratton
Dellums	McCormack	Stubblefield
Denholm	McDade	Symington
Dent	McFall	Thomson, Wis.
Diggs	McKinney	Thone
Donohue	Macdonald,	Tiernan
	Mass.	Udall
Dorn	Madden	Ullman
Dow	Mahon	Vanik
Drinan	Matsunaga	Vigorito
Dulski	Mazzoli	Waldie
du Pont	Meeds	Whalen
Eckhardt	Melcher	White
Edwards, Calif.	Mikva	Whitten
Eilberg	Miller, Calif.	Wolff
Esch	Mills, Ark.	Wright
Evans, Colo.	Minish	Yates
Evins, Tenn.	Mink	Yatron
Fascell	Mitchell	Young, Tex.
Flood	Mollohan	Zablocki
Flowers	Monagan	Zwach
Foley	Moorhead	
Ford	Morgan	
William D.	Moss	

NOT VOTING—86

Abernethy	Davis, S.C.	Hall
Abourezk	Delaney	Halpern
Abzug	Dingell	Harsha
Anderson	Dowdy	Harvey
Tenn.	Dwyer	Hébert
Bell	Edmondson	Hillis
Bingham	Edwards, Ala.	Hosmer
Blanton	Eshleman	King
Blatnik	Fraser	King
Bray	Frenzel	Kluczynski
Broomfield	Fuqua	Kyros
Byrnes, Wis.	Gallagher	Landrum
Celler	Garmatz	Lennon
Chamberlain	Griffiths	Link
Collins, Ill.	Grover	Long, La.
Curlin	Hagan	McCloskey
		McClure

McDonald,
Mich.
McEwen
McKay
McMillan
Mailliard
Martin
Metcalfe
Montgomery
Mosher
Nichols
O'Hara
Patman
Pepper

Perkins
Pirnie
Poage
Podell
Poff
Pryor, Ark.
Rarick
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roussetot
Scheuer
Smith, Calif.
Snyder

Springer
Steiger, Wis.
Stephens
Sullivan
Talcott
Thompson, N.J.
Van Derlin
Whitehurst
Wiggins
Williams
Wilson, Bob
Wilson,
Charles H.

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Rarick for, with Mr. Rooney of New York against.

Mr. McEwen for, with Mr. Mosher against.

Mr. Roussetot for, with Mr. Pirnie against.

Mr. Hall for, with Mrs. Dwyer against.

Mr. Abernethy for, with Mr. Link against.

Mr. Bray for, with Mr. Perkins against.

Mr. Smith of California for, with Mr. Celler against.

Mr. Edwards of Alabama for, with Mr. Thompson of New Jersey against.

Mr. Martin for, with Mr. Fraser against.

Mr. King for, with Mr. Kyros against.

Mr. Dowdy for, with Mr. O'Hara against.

Mr. Long of Louisiana for, with Mr. Kluczynski against.

Mr. Montgomery for, with Mr. Metcalfe against.

Until further notice:

Mr. Hébert with Mr. Byrnes of Wisconsin.

Mr. Rooney of Pennsylvania with Mr. Eshleman.

Mr. Nichols with Mr. Poff.

Mr. Delaney with Mr. Halpern.

Mr. Pepper with Mr. McClure.

Mr. Collins of Illinois with Mrs. Abzug.

Mr. Patman with Mr. McCloskey.

Mr. Podell with Mr. Grover.

Mr. Fuqua with Mr. Springer.

Mrs. Griffiths with Mr. McDonald of Michigan.

Mr. Lennon with Mr. Hillis.

Mr. Van Derlin with Mr. Hosmer.

Mrs. Sullivan with Mr. Frenzel.

Mr. Charles H. Wilson with Mr. Bob Wilson.

Mr. Dingell with Mr. Chamberlain.

Mr. Curlin with Mr. Snyder.

Mr. Edmondson with Mr. Broomfield.

Mr. Garmatz with Mr. Harsha.

Mr. Anderson of Tennessee with Mr. Williams.

Mr. Abourezk with Mr. Steiger of Wisconsin.

Mr. Blanton with Mr. Mailliard.

Mr. McKay with Mr. Harvey.

Mr. Pryor of Arkansas with Mr. Bell.

Mr. Hagan with Mr. Whitehurst.

Mr. Stephens with Mr. Talcott.

Mr. McMillan with Mr. Wiggins.

Mr. Bingham with Mr. Davis of South Carolina.

Mr. Rosenthal with Mr. Landrum.

Mr. Gallagher with Mr. Scheuer.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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

Mr. FLOOD. Mr. Speaker, on that demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 277, nays 60, not voting 95, as follows:

[Roll No. 208]

YEAS—277

Adams	Gaydos	Nedzi
Addabbo	Gettys	Nelsen
Alexander	Glaimo	Obey
Anderson,	Gibbons	O'Konski
Calif.	Goldwater	O'Neill
Anderson, Ill.	Gonzalez	Passman
Andrews, Ala.	Grasso	Patten
Andrews,	Gray	Pepper
N. Dak.	Green, Oreg.	Pettis
Annunzio	Green, Pa.	Peyser
Ashley	Gubser	Pickle
Aspin	Gude	Pike
Aspinall	Hamilton	Powell
Badillo	Hammer-	Preyer, N.C.
Baring	schmidt	Price, Ill.
Barrett	Hanley	Price, Tex.
Begich	Hanna	Pucinski
Belcher	Hansen, Idaho	Purcell
Bergland	Hansen, Wash.	Quile
Bevill	Harrington	Quillen
Biaggi	Hastings	Rallsback
Biester	Hathaway	Rangel
Boggs	Hawkins	Rees
Boland	Hays	Reid
Bolling	Hechler, W. Va.	Reuss
Brademas	Heckler, Mass.	Riegle
Brasco	Heinz	Roberts
Brinkley	Helstoski	Robison, N.Y.
Brooks	Henderson	Rodino
Brown, Mich.	Hicks, Mass.	Roe
Brown, Ohio	Hicks, Wash.	Rogers
Broyhill, Va.	Hogan	Roncallo
Buchanan	Hollifield	Rostenkowski
Burke, Fla.	Horton	Roush
Burke, Mass.	Howard	Roy
Burleson, Tex.	Hull	Roybal
Burlison, Mo.	Hungate	Runnels
Burton	Hunt	Ruppe
Byron	Jacobs	Ryan
Cabell	Jarman	St Germain
Caffery	Johnson, Calif.	Sarbanes
Carey, N.Y.	Johnson, Pa.	Schwengel
Carney	Jones, Ala.	Sebellus
Carter	Jones, N.C.	Seiberling
Casey, Tex.	Jones, Tenn.	Shipley
Cederberg	Karth	Shoup
Chisholm	Kastenmeier	Shriver
Clark	Kazen	Sikes
Clausen,	Keating	Sisk
Don H.	Kee	Skubitz
Clay	Keith	Slack
Cleveland	Kemp	Smith, Iowa
Conte	Koch	Spence
Conyers	Latta	Stanton,
Corman	Leggett	J. William
Cotter	Lent	Stanton,
Coughlin	Lloyd	James V.
Culver	Long, Md.	Steed
Daniels, N.J.	Lujan	Steele
Danielson	McClary	Stokes
Davis, Ga.	McCollister	Stratton
de la Garza	McCormack	Stubblefield
Dellenback	McCulloch	Stuckey
Dellums	McDade	Symington
Denholm	McFall	Taylor
Dent	McKevitt	Teague, Calif.
Diggs	McKinney	Thomson, Wis.
Donohue	Macdonald,	Thone
Dorn	Mass.	Tiernan
Dow	Madden	Udall
Downing	Mahon	Ullman
Drinan	Mann	Van Deerlin
Dulski	Mathias, Calif.	Vander Jagt
Duncan	Matsunaga	Vanik
du Pont	Mayne	Veysey
Eckhardt	Meeds	Vigorito
Edwards, Calif.	Melcher	Waggonner
Ellberg	Mikva	Waldie
Esch	Miller, Calif.	Wampler
Evans, Colo.	Miller, Ohio	Whalen
Evins, Tenn.	Mills, Ark.	White
Fascell	Mills, Md.	Whitten
Fish	Minish	Widnall
Fisher	Mink	Winn
Flood	Minshall	Wolf
Flowers	Mitchell	Wyatt
Foley	Mollohan	Wydler
Ford,	Monagan	Wylie
William D.	Moorhead	Wyman
Forsythe	Moss	Yates
Fountain	Murphy, Ill.	Young, Fla.
Frelinghuysen	Murphy, N.Y.	Young, Tex.
Frey	Myers	Zablocki
Galifianakis	Natcher	Zion
		Zwach

NAYS—60

Abbutt	Betts	Chappell
Archer	Blackburn	Clawson, Del.
Arends	Bow	Collier
Ashbrook	Broyhill, N.C.	Collins, Tex.
Baker	Camp	Colmer
Bennett	Carlson	Conable

Conover	Haley	Ruth
Crane	Hutchinson	Sandman
Daniel, Va.	Jonas	Satterfield
Davis, Wis.	Kuykendall	Saylor
Dennis	Kyl	Scherle
Derwinski	Landgrebe	Schmitz
Devine	Mallory	Schneebell
Dickinson	Martin	Scott
Findley	Mathis, Ga.	Smith, N.Y.
Flynt	Michel	Steiger, Ariz.
Ford, Gerald R.	Mizell	Teague, Tex.
Goodling	Pelly	Thompson, Ga.
Griffin	Rhodes	Ware
Gross	Robinson, Va.	Whalley

NOT VOTING—95

Abernethy	Griffiths	Patman
Abourezk	Grover	Perkins
Abzug	Hagan	Pirnie
Anderson,	Hall	Poage
Tenn.	Halpern	Podell
Bell	Harsha	Poff
Bingham	Harvey	Pryor, Ark.
Blanton	Hébert	Randall
Blatnik	Hillis	Rarick
Bray	Hosmer	Rooney, N.Y.
Broomfield	Ichord	Rooney, Pa.
Byrne, Pa.	King	Rosenthal
Byrnes, Wis.	Kluczynski	Rousselot
Celler	Kyros	Scheuer
Chamberlain	Landrum	Smith, Calif.
Clancy	Lennon	Snyder
Collins, Ill.	Link	Springer
Curlin	Long, La.	Staggers
Davis, S.C.	McCloskey	Steiger, Wis.
Delaney	McClure	Stephens
Dingell	McDonald,	Sullivan
Dowdy	Mich.	Talcott
Dwyer	McEwen	Terry
Edmondson	McKay	Thompson, N.J.
Edwards, Ala.	McMillan	Whitehurst
Erlenborn	Mailliard	Wiggins
Eshleman	Mazzoli	Williams
Fraser	Metcalfe	Wilson, Bob
Frenzel	Montgomery	Wilson,
Fulton	Mosher	Charles H
Fuqua	Nichols	Wright
Gallagher	Nix	Yatron
Garmatz	O'Hara	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Rooney of New York for, with Mr. Hall against.

Mr. Grover for, with Mr. Rousselot against.
Mr. McDonald of Michigan for, with Mr. Edwards of Alabama against.Mr. Hillis for, with Mr. Terry against.
Mr. Nichols for, with Mr. Abernethy against.Mr. McEwen for, with Mr. Rarick against.
Mr. Frenzel for, with Mr. Smith of California against.

Until further notice:

Mr. Hébert with Mr. Byrnes of Wisconsin.
Mr. Ichord with Mr. Chamberlain.Mrs. Sullivan with Mr. Bray.
Mr. Dingell with Mr. Broomfield.Mrs. Griffiths with Mr. Harvey.
Mr. Podell with Mr. Halpern.Mr. Mazzoli with Mr. Snyder.
Mr. Thompson of New Jersey with Mrs.Dwyer.
Mr. Charles H. Wilson with Mr. Bob Wilson.

Mr. Byrne of Pennsylvania with Mr. Williams.

Mr. Yatron with Mr. Eshleman.
Mr. Collins of Illinois with Mrs. Abzug.Mr. Fraser with Mr. Metcalfe.
Mr. Kluczynski with Mr. Erlenborn.Mr. Lennon with Mr. Poff.
Mr. Link with Mr. Springer.Mr. Blatnik with Mr. Harsha.
Mr. Edmondson with Mr. McClure.Mr. Perkins with Mr. Bell.
Mr. Rooney of Pennsylvania with Mr. McCloskey.Mr. Nix with Mr. Rosenthal.
Mr. Celler with Mr. King.Mr. Delaney with Mr. Wiggins.
Mr. Staggers with Mr. Whitehurst.Mr. Montgomery with Mr. Clancy.
Mr. Fulton with Mr. Hosmer.

Mr. Curlin with Mr. Talcott.

Mr. Anderson of Tennessee with Mr. Mailliard.

Mr. Kyros with Mr. Mosher.
Mr. Bingham with Mr. Pirnie.Mr. Abourezk with Mr. Stephens.
Mr. McMillan with Mr. Blanton.

Mr. Davis of South Carolina with Mr. Patman.

Mr. O'Hara with Mr. Scheuer.
Mr. Wright with Mr. Randal.Mr. Hagan with Mr. Fuqua.
Mr. McKay with Mr. Pryor of Arkansas.Mr. Long of Louisiana with Mr. Garmatz.
Mr. Landrum with Mr. Gallagher.

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 ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill (H.R. 15417), just passed, and to include extraneous matter.

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

There was no objection.

PERMISSION FOR GENERAL DEBATE ONLY ON JUNE 20 ON PUBLIC WORKS, ATOMIC ENERGY, TREASURY, AND POSTAL SERVICE APPROPRIATIONS, 1973

Mr. MAHON. Mr. Speaker, I ask unanimous consent that it may be in order in the House on Tuesday next—clause 6 of rule XXI to the contrary notwithstanding—to have general debate only on the bill making appropriations for public works for water and power development, the Atomic Energy Commission, and certain other agencies for the fiscal year ending June 30, 1973, and to have general debate only on the bill making appropriations for the Treasury Department, the Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1973.

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

There was no objection.

CONFERENCE REPORT ON H.R. 14734, FOREIGN RELATIONS AUTHORIZATION ACT OF 1972

Mr. MORGAN submitted the following conference report and statement on the bill (H.R. 14734) to authorize appropriations for the Department of State and for the U.S. Information Agency:

CONFERENCE REPORT (HOUSE REPT. No. 92-1145)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 14734) to authorize appropriations for the Department of State and for the United States Information Agency, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the House bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That this Act may be cited as the "Foreign Relations Authorization Act of 1972".

TITLE I—DEPARTMENT OF STATE AUTHORIZATION OF APPROPRIATIONS

SEC. 101. (a) There are authorized to be appropriated for the Department of State for fiscal year 1973, to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States, and other purposes authorized by law, the following amounts:

- (1) for the "Administration of Foreign Affairs", \$289,453,000;
- (2) for "International Organizations and Conferences", \$188,263,000;
- (3) for "International Commissions", \$18,226,000;
- (4) for "Educational Exchange", \$59,200,000; and
- (5) for "Migration and Refugee Assistance", \$8,212,000.

(b) The Secretary of State is authorized to furnish, on terms and conditions he considers appropriate, assistance to Israel or another suitable country, including assistance for the resettlement in Israel or such country of Jewish or other similar refugees from the Union of Soviet Socialist Republics. There are authorized to be appropriated to the Secretary not to exceed \$85,000,000 to carry out the provisions of this subsection.

(c) Appropriations made under subsection (a) of this section are authorized to remain available until expended.

LIMITATION UPON PRIOR AUTHORIZATION REQUIREMENT

SEC. 102. Section 15(a) of the Act entitled "An Act to provide certain basic authority for the Department of State", approved August 1, 1956, as amended by section 407 of the Foreign Assistance Act of 1971 (22 U.S.C. 2680), is amended by adding at the end thereof the following new sentence: "The provisions of this subsection shall not apply to, or affect in any manner, permanent appropriations, trust funds, and other similar accounts administered by the Department as authorized by law."

DEPUTY SECRETARY OF STATE AND UNDER SECRETARY OF STATE

SEC. 103. (a) (1) The first section of the Act of May 26, 1949, as amended (22 U.S.C. 2652), is amended to read as follows: "That there shall be in the Department of State, in addition to the Secretary of State, a Deputy Secretary of State, an Under Secretary of State for Political Affairs, an Under Secretary of State for Economic Affairs, a Deputy Under Secretary of State, and eleven Assistant Secretaries of State."

(2) Section 2(b) of the Act of May 26, 1949, as amended (22 U.S.C. 2652), is repealed.

(b) The duties of the Under Secretary of State are transferred to the Deputy Secretary of State. The individual holding, on the date of enactment of this Act, the office of the Under Secretary of State may assume the duties of the Deputy Secretary of State. The individual assuming such duties shall not be required to be reappointed by reason of the enactment of this section.

(c) The provisions of subsection (a) of this section are effective July 1, 1972.

EXECUTIVE SCHEDULE PAY RATES

SEC. 104. Chapter 53 of title 5, United States Code, is amended as follows:

(1) Section 5313(2) is amended to read as follows:

"(2) Deputy Secretary of State."

(2) Section 5314(9) is amended by striking out "or" before "Under Secretary of State for Economic Affairs" and inserting in lieu thereof "and".

(3) Section 5315(10) is amended to read as follows:

"(10) Deputy Under Secretary of State."

RETIREMENT ANNUITIES FOR CERTAIN ALIENS

SEC. 105. (a) Section 8331(1) of title 5, United States Code, is amended—

(1) by striking out "and" at the end of subparagraph (H);

(2) by adding "and" at the end of subparagraph (I); and

(3) by inserting, immediately below subparagraph (I), the following new subparagraph:

"(J) an alien (i) who was previously employed by the Government, (ii) who is employed full time by a foreign government for the purpose of protecting or furthering the interests of the United States during an interruption of diplomatic or consular relations, and (iii) for whose services reimbursement is made to the foreign government by the United States;"

(b) Subsection (a) of this section shall become effective on the first day of the second month which begins after its enactment.

(c) The amendments made by such subsection (a) shall not apply in the cases of persons retired or otherwise separated prior to the effective date established under subsection (b) of this section, and the rights of such persons and their survivors shall continue in the same manner and to the same extent as if such amendments had not been enacted.

MILITARY PERSONNEL AND CIVILIAN EMPLOYEES' CLAIMS ACT OF 1964

SEC. 106. (a) Section 3(b)(1) of the Military Personnel and Civilian Employees' Claims Act of 1964, as amended (31 U.S.C. 241(b)(1)), is amended to read as follows:

"(b)(1) Subject to any policies the President may prescribe to effectuate the purposes of this subsection and—

"(A) under regulations the head of an agency (other than a military department, the Secretary of the Treasury with respect to the Coast Guard, the Department of Defense, or an agency or office referred to in subparagraph (B) of this paragraph) may prescribe for his agency or, in the case of ACTION, all of that part of ACTION other than the office referred to in such subparagraph, part thereof, he or his designee may settle and pay a claim arising after August 31, 1964, against the United States for not more than \$6,500 made by a member of the uniformed services under the jurisdiction of that agency or by a civilian officer or employee of that agency or part thereof, for damage to, or loss, of, personal property incident to his service; and

"(B) under regulations the Secretary of State, the Administrator for the Agency for International Development, the Director of the United States Information Agency, the Director of the United States Arms Control and Disarmament Agency, the Director of ACTION with respect to the office of ACTION engaged primarily in carrying out the Peace Corps Act, and the Board of Directors of the Overseas Private Investment Corporation, may prescribe for their agencies or, in the case of ACTION, for such office, he or his designee may settle and pay a claim arising after August 31, 1964, against the United States for not more than \$10,000 made by a civilian officer or employee of such agency or office for damage to, or loss of personal property incident to his service.

If the claim is substantiated and the possession of that property is determined to be reasonable, useful, or proper under the circumstances, the claim may be paid or the property replaced in kind. This subsection does not apply to claims settled before August 31, 1964."

(b) Subsection (a) of this section is effective August 31, 1964. Notwithstanding section 4 of the Military Personnel and Civilian Employees' Claims Act of 1964, or any other

provision of law, a claim heretofore settled in the amount of \$6,500 solely by reason of the maximum limitation established by section 3(b)(1) of such Act, may, upon written request of the claimant made within one year from the date of enactment of this Act, be reconsidered and settled under that section, as amended by subsection (a) of this section.

AMBASSADORS AND MINISTERS

SEC. 107. Section 501 of the Foreign Service Act of 1946 (22 U.S.C. 901) is amended by adding at the end thereof the following new subsection:

"(c) On and after the date of enactment of the Foreign Relations Authorization Act of 1972, no person shall be designated as ambassador or minister, or be designated to serve in any position with the title of ambassador or minister, unless that person is appointed as an ambassador or minister in accordance with subsection (a) of this section or clause 3, section 2, of article II of the Constitution, relating to recess appointments, except that the personal rank of ambassador or minister may be conferred by the President in connection with special missions for the President of an essentially limited and temporary nature of not exceeding six months."

TITLE II—UNITED STATES INFORMATION AGENCY

AUTHORIZATION OF APPROPRIATIONS

SEC. 201. There are authorized to be appropriated for the United States Information Agency for fiscal year 1973, to carry out international informational activities and programs under the United States Information and Educational Exchange Act of 1948, the Mutual Educational and Cultural Exchange Act of 1961, and Reorganization Plan Numbered 8 of 1953, and other purposes authorized by law, the following amounts:

(1) \$194,213,000 for "Salaries and expenses" and "Salaries and expenses (special foreign currency program)", except that so much of such amount as may be appropriated for "Salaries and expenses (special foreign currency program)" may be appropriated without fiscal year limitation;

(2) \$5,036,000 for "Special international exhibitions" and "Special international exhibitions (special foreign currency program)", which amount may be appropriated without fiscal year limitation; and

(3) \$1,000,000 for "Acquisition and construction of radio facilities", which amount may be appropriated without fiscal year limitation.

PROVIDING CERTAIN BASIC AUTHORITIES

SEC. 202. Title VIII of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1471) is amended by adding at the end thereof the following new sections:

"BASIC AUTHORITY

"SEC. 804. In carrying out the provisions of this Act, the Secretary, or any Government agency authorized to administer such provisions, may—

"(1) employ, without regard to the civil service and classification laws, aliens abroad for service in the United States relating to the translation or narration of colloquial speech in foreign languages when suitable qualified United States citizens are not available (such aliens to be investigated for such employment in accordance with procedures established by the Secretary or such agency and the Attorney General), and such persons may be admitted to the United States, if otherwise qualified, as nonimmigrants under section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101 (a)(15)) for such time and under such conditions and procedures as may be established by the Secretary and the Attorney General;

"(2) pay travel expenses of aliens employed abroad for service in the United States and their dependents to and from the United States;

"(3) incur expenses for entertainment within the United States within such amounts as may be provided in appropriations Acts;

"(4) obtain insurance on official motor vehicles operated by the Secretary or such agency in foreign countries, and pay the expenses incident thereto;

"(5) notwithstanding the provisions of section 2680(k) of title 28, United States Code, pay tort claims in the manner authorized in the first paragraph of section 2672 of such title, when such claims arise in foreign countries in connection with operations conducted abroad under this Act;

"(6) employ aliens by contract for services abroad;

"(7) provide ice and drinking water abroad;

"(8) pay excise taxes on negotiable instruments abroad;

"(9) pay the actual expenses of preparing and transporting to their former homes the remains of persons, not United States Government employees, who may die away from their homes while participating in activities conducted under this Act;

"(10) rent or lease, for periods not exceeding five years, offices, buildings, grounds, and living quarters abroad for employees carrying out this Act, and make payments therefor in advance;

"(11) maintain, improve, and repair properties used for information activities in foreign countries;

"(12) furnish fuel and utilities for Government-owned or leased property abroad; and

"(13) pay travel expenses of employees attending official international conferences, without regard to sections 5701-5708 of title 5, United States Code, and regulations issued thereunder, but at rates not in excess of comparable allowances approved for such conferences by the Secretary.

"TRAVEL EXPENSES

"Sec. 805. Appropriated funds made available for any fiscal year to the Secretary or any Government agency, to carry out the provisions of this Act, for expenses in connection with travel of personnel outside the continental United States, including travel of dependents and transportation of personal effects, household goods, or automobiles of such personnel, shall be available for all such expenses in connection with travel or transportation which begins in that fiscal year pursuant to travel orders issued in that year, notwithstanding the fact that such travel or transportation may not be completed until the following fiscal year."

LIMITATION UPON PRIOR AUTHORIZATION REQUIREMENT

SEC. 203. Section 701 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1476) is amended by adding at the end thereof the following new sentence: "The provisions of this section shall not apply to, or affect in any manner, permanent appropriations, trust funds, and other similar accounts administered by the Secretary or such agency as authorized by law."

DISSEMINATION OF INFORMATION WITHIN UNITED STATES

SEC. 204. The second sentence of section 501 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1461) is amended to read as follows: "Any such information (other than 'Problems of Communism' which may continue to be sold by the Government Printing Office) shall not be disseminated within the United States, its territories, or possessions, but, on request, shall be available in the English lan-

guage at the Department of State, at all reasonable times following its release as information abroad, for examination only by representatives of United States press associations, newspapers, magazines, radio systems, and stations, and by research students and scholars, and, on request, shall be made available for examination only to Members of Congress."

TITLE III—UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

AUTHORIZATION OF APPROPRIATIONS

SEC. 301. The second sentence of section 49 (a) of the Arms Control and Disarmament Act (22 U.S.C. 2589(a)) is amended by inserting immediately after "\$17,500,000", the following: ", and for the two fiscal years 1973 and 1974, the sum of \$22,000,000".

REPORT TO CONGRESS

SEC. 302. (a) The United States Arms Control and Disarmament Agency, with the cooperation and assistance of other relevant Government agencies including the Department of State and the Department of Defense, shall prepare and submit to the Congress a comprehensive report on the international transfer of conventional arms based upon existing and new work in this area. The report shall include (but not be limited to) the following subjects:

(1) the quantity and nature of the international transfer of conventional arms, including the identification of the major supplying and recipient countries;

(2) the policies of the major exporters of conventional arms toward transfer, including the terms on which conventional arms are made available for transfer, whether by credit, grant, or cash-and-carry basis;

(3) the effects of conventional arms transfer on international stability and regional balances of power;

(4) the impact of conventional arms transfer on the economies of supplying and recipient countries;

(5) the history of any negotiations on conventional arms transfer, including past policies adopted by the United States and other suppliers of conventional arms;

(6) the major obstacles to negotiations on conventional arms transfer;

(7) the possibilities for limiting conventional arms transfer, including potentialities for international agreements, step-by-step approaches on particular weapons systems, and regional arms limitations; and

(8) recommendations for future United States policy on conventional arms transfer.

(b) The report required by subsection (a) shall be submitted to the Congress not later than one year after the date of the enactment of this Act, and an interim report shall be submitted to the Congress not later than six months after such date.

TITLE IV—PEACE CORPS

AUTHORIZATION OF APPROPRIATIONS

SEC. 401. (a) The first phrase of section 3(b) of the Peace Corps Act (22 U.S.C. 2502(b)), ending with a colon, is amended to read as follows: "There are authorized to be appropriated to the President for the fiscal year 1973 not to exceed \$88,027,000 to carry out the purposes of this Act:"

VOLUNTARY SERVICE PROGRAMS

SEC. 402. Paragraph (2) of subsection (b) of section 301 of the Peace Corps Act (22 U.S.C. 2501a), which relates to encouragement of voluntary service programs, is amended by striking out "\$300,000" and inserting in lieu thereof "\$350,000", by striking out "1971", and by inserting, before the word "fiscal" the word "any".

NATIONAL ADVISORY COUNCIL

SEC. 403. Section 12 of the Peace Corps Act (22 U.S.C. 2511) is repealed, and the Peace Corps National Advisory Council is abolished, effective ninety days after the date of enactment of this Act.

TITLE V—GENERAL AND MISCELLANEOUS PROVISIONS

CERTAIN ADDITIONAL AUTHORIZATIONS OF APPROPRIATIONS

SEC. 501. In addition to amounts authorized by sections 101 (a) and (b) and 201 of this Act, there are authorized to be appropriated for the Department of State and the United States Information Agency for fiscal year 1973 such additional or supplemental amounts as may be necessary for increases in salary, pay, retirement, or other employee benefits authorized by law, or other nondiscretionary costs.

EXPRESSION OF INDIVIDUAL VIEWS TO CONGRESS

SEC. 502. Upon the request of a committee of either House of Congress, a joint committee of Congress, or a member of such committee, any officer appointed by the President, by and with the advice and consent of the Senate, to a position in the Department of State, the United States Information Agency, the Agency for International Development, the United States Arms Control and Disarmament Agency, or any other department, agency, or independent establishment of the United States Government primarily concerned with matters relating to foreign countries or multilateral organizations, may express his views and opinions, and make recommendations he considers appropriate, if the request of the committee or member of the committee relates to a subject which is within the jurisdiction of that committee.

INTERNATIONAL NARCOTICS CONTROL

SEC. 503. Chapter 8 of part I of the Foreign Assistance Act of 1961, relating to international narcotics control, is amended by striking out section 481 and inserting in lieu thereof the following new sections:

"SEC. 481. INTERNATIONAL NARCOTICS CONTROL.—It is the sense of the Congress that effective international cooperation is necessary to put an end to the illicit production, smuggling, trafficking in, and abuse of dangerous drugs. In order to promote such cooperation, the President is authorized to conclude agreements with other countries to facilitate control of the production, processing, transportation, and distribution of narcotic analgesics, including opium and its derivatives, other narcotic drugs and psychotropics, and other controlled substances as defined in the Comprehensive Drug Abuse Prevention and Control Act of 1970. Notwithstanding any other provision of law, the President is authorized to furnish assistance to any country or international organization, on such terms and conditions as he may determine, for the control of the production of, processing of, smuggling of, and traffic in, narcotic and psychotropic drugs. The President shall suspend economic and military assistance furnished under this or any other Act, and shall suspend sales under the Foreign Military Sales Act and under title I of the Agricultural Trade Development and Assistance Act of 1954, with respect to any country when the President determines that the government of such country has failed to take adequate steps to prevent narcotic drugs and other controlled substances (as defined by the Comprehensive Drug Abuse Prevention and Control Act of 1970) produced or processed, in whole or in part, in such country, or transported through such country, from being sold illegally within the jurisdiction of such country to United States Government personnel or their dependents, or from entering the United States unlawfully. Such suspension shall continue until the President determines that the government of such country has taken adequate steps to carry out the purposes of this chapter.

"SEC. 482. AUTHORIZATION.—To carry out the purposes of section 481, there are authorized to be appropriated to the President

\$42,500,000 for the fiscal year 1973, which amount is authorized to remain available until expended."

TITLE VI—STUDY COMMISSION RELATING TO FOREIGN POLICY

FINDINGS AND PURPOSE

SEC. 601. It is the purpose of this title to establish a study commission which will submit findings and recommendations to provide a more effective system for the formulation and implementation of the Nation's foreign policy.

COMMISSION ON THE ORGANIZATION OF THE GOVERNMENT FOR THE CONDUCT OF FOREIGN POLICY

SEC. 602. (a) To carry out the purpose of section 601 of this Act, there is established a Commission on the Organization of the Government for the Conduct of Foreign Policy (hereafter referred to in this title as the "Commission").

(b) The Commission shall be composed of the following twelve members:

(1) four members appointed by the President, two from the executive branch of the Government and two from private life;

(2) four members appointed by the President of the Senate, two from the Senate (one from each of the two major political parties) and two from private life; and

(3) four members appointed by the Speaker of the House of Representatives, two from the House of Representatives (one from each of the two major political parties) and two from private life.

(c) The Commission shall elect a Chairman and a Vice Chairman from among its members.

(d) Seven members of the Commission shall constitute a quorum. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(e) Each member of the Commission who is not otherwise employed by the United States Government shall receive \$145 a day (including traveltime) during which he is engaged in the actual performance of his duties as a member of the Commission. A member of the Commission who is an officer or employee of the United States Government shall serve without additional compensation. All members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties.

DUTIES OF THE COMMISSION

SEC. 603. (a) The Commission shall study and investigate the organization, methods of operation, and powers of all departments, agencies, independent establishments, and instrumentalities of the United States Government participating in the formulation and implementation of United States foreign policy and shall make recommendations which the Commission considers appropriate to provide improved governmental processes and programs in the formulation and implementation of such policy, including, but not limited to, recommendations with respect to—

(1) the reorganization of the departments, agencies, independent establishments, and instrumentalities of the executive branch participating in foreign policy matters;

(2) more effective arrangements between the executive branch and Congress, which will better enable each to carry out its constitutional responsibilities;

(3) improved procedures among departments, agencies, independent establishments, and instrumentalities of the United States Government to provide improved coordination and control with respect to the conduct of foreign policy;

(4) the abolition of services, activities, and functions not necessary to the efficient conduct of foreign policy; and

(5) other measures to promote peace, econ-

omy, efficiency, and improved administration of foreign policy.

(b) The Commission shall submit a comprehensive report to the President and Congress, not later than June 30, 1974, containing the findings and recommendations of the Commission with respect to its study and investigation. Such recommendations may include proposed constitutional amendments, legislation, and administrative actions the Commission considers appropriate in carrying out its duties. The Commission shall cease to exist on the thirtieth day after the date on which it files the comprehensive report under this subsection.

POWERS OF THE COMMISSION

SEC. 604. (a) The Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this title, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee or member may deem advisable. Subpoenas may be issued under the signature of the Chairman of the Commission, of any such subcommittee, or any designated member, and may be served by any person designated by such Chairman or member. The provisions of sections 102 through 104 of the Revised Statutes of the United States (2 U.S.C. 192-194) shall apply in the case of any failure of any witness to comply with any subpoena or to testify when summoned under authority of this section.

(b) The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics for the purposes of this title. Each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to the extent authorized by law, to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

STAFF OF THE COMMISSION

SEC. 605. (a) The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(b) The Commission is authorized to procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the daily rate paid a person occupying a position at GS-18.

EXPENSES OF THE COMMISSION

SEC. 606. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this title.

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the House bill and agree to the same.

THOMAS E. MORGAN,
CLEMENT J. ZABLOCKI,
WAYNE L. HAYS,
L. H. FOUNTAIN,
DANTE B. FASCELL,
WILLIAM S. MAILLIARD,
PETER H. B. FRELINGHUYSEN,
WILLIAM S. BROOMFIELD,

Managers on the Part of the House.

J. W. FULBRIGHT,
JOHN SPARKMAN,
WILLIAM B. SPONG, Jr.,
FRANK CHURCH,
GEORGE D. AIKEN,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 14734) to authorize appropriations for the Department of State and for the United States Information Agency, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate amendments struck out all of the House bill after the enacting clause and inserted a substitute text and provided a new title for the House bill, and the House disagreed to the Senate amendments.

The committee of conference recommends that the House recede from its disagreement to the amendment of the Senate to the text of the House bill, with an amendment which is a substitute for both the text of the House bill and the Senate amendment to the text of the House bill. The committee of conference also recommends that the House recede from its disagreement to the amendment of the Senate to the title of the House bill.

The differences between the text of the House bill, the Senate amendment thereto, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by reason of agreements reached by the conferees, and minor drafting and clarifying changes.

AUTHORIZATION OF ASSISTANCE TO REFUGEES FROM THE SOVIET UNION

The Senate amendment authorized the appropriation of \$8,212,000 for migration and refugee assistance and the appropriation of \$85,000,000 for assistance to Israel and other suitable countries for the resettlement of Jewish or other similar refugees from the Soviet Union.

The House bill authorized \$93,212,000 for migration and refugee assistance, of which \$85,000,000 was intended for Israel.

The House receded.

AVAILABILITY OF FUNDS

The Senate amendment contained separate provisions authorizing the appropriations for the Department of State to remain available until expended, and for the United States Information Agency without fiscal year limitation, with the exception of the amounts appropriated for USIA salaries and expenses.

The House bill contained similar provisions in a single section.

The House receded.

LIMITATION UPON PRIOR AUTHORIZATION REQUIREMENT

The Senate amendment contained two separate sections, applying to the Department of State and the United States Information Agency respectively, to assure that permanent appropriations under which payments are made directly from trust funds and other similar accounts in accordance with existing statutory authority are excluded from the application of section 407 of the Foreign Assistance Act of 1971.

The House bill contained one section applying to both agencies.

The House receded.

AUTHORIZATION OF APPROPRIATION FOR GRIEVANCE BOARD

The Senate amendment contained an open-ended authorization for appropriations for salaries and expenses of a grievance board as envisioned in the section of the Senate

amendment dealing with Foreign Service grievances.

The House bill did not contain a comparable provision.

The Senate receded.

DEPUTY SECRETARY, UNDER SECRETARY FOR ECONOMIC AFFAIRS

The Senate amendment established the positions of Deputy Secretary of State and Under Secretary of State for Economic Affairs, abolished one position of Deputy Under Secretary of State, and raised the number of Assistant Secretaries of State from 11 to 12.

The House bill contained no comparable provision.

The House receded with an amendment eliminating the increase in the numbers of Assistant Secretaries of State.

BUREAU OF NORTH AMERICAN AFFAIRS AND BUREAU OF SOUTH AMERICAN AFFAIRS

The Senate amendment established a Bureau of North American Affairs and a Bureau of South American Affairs, each to be headed by an Assistant Secretary of State.

The House bill contained no comparable provision.

The Senate receded.

TRANSFER OF DUTIES OF THE UNDER SECRETARY OF STATE TO THE DEPUTY SECRETARY OF STATE

The Senate amendment transferred the duties of the Under Secretary of State to the Deputy Secretary of State.

The House bill contained no comparable provision.

The House receded.

EFFECTIVE DATE OF IMPLEMENTATION, JULY 1, 1972

The Senate amendment set July 1, 1972 as the effective date of the provision establishing the positions of Deputy Secretary of State and Under Secretary of State for Economic Affairs.

The House bill contained no comparable provision.

The House receded.

EXECUTIVE SCHEDULE PAY RATES

The Senate amendment amended the Executive Schedule pay rates to substitute Deputy Secretary of State for Under Secretary of State, and Under Secretary for Economic Affairs for the Deputy Under Secretary and to add a twelfth Assistant Secretary of State.

The House bill contained no comparable provision.

The House receded with an amendment eliminating the twelfth Assistant Secretary of State.

RETIREMENT ANNUITIES FOR CERTAIN ALIENS

The Senate amendment amended Title 5, United States Code, to authorize civil service retirement credit for certain alien employees of the United States abroad who work for a protecting power (foreign government) on United States interests during an interruption of diplomatic or consular relations.

The House bill did not contain a comparable provision.

The House receded.

CIVILIAN EMPLOYEES' CLAIMS

The Senate amendment amended the Military Personnel and Civilian Employees' Claims Act of 1964 to (1) increase authority for settlement of claims from \$6,500 to \$10,000 for personnel of designated foreign affairs agencies other than the Department of Defense, the military departments and Coast Guard, for personal property losses incident to service, and (2) permit reconsideration, retroactive to August 31, 1964, of any claim heretofore settled and paid in the amount of \$6,500 solely because that was the maximum amount authorized under existing law.

The House bill did not contain a comparable provision.

The House receded.

RETIREMENT OF CAREER MINISTERS

The Senate amendment amended the Foreign Service Act of 1946, as amended, to lower the mandatory retirement age for career ministers from age 65 to age 60.

The House bill did not contain a comparable provision.

The Senate receded.

RECOMMENDATIONS FOR PROMOTIONS

The Senate amendment amended the Foreign Service Act of 1946, as amended, to (1) require promotion of Foreign Service officers by rank order within class or rank order by specialty within class and (2) authorize the Secretary of State to recommend promotion as a remedy for grievances.

The House bill did not contain a comparable provision.

The Senate receded.

FOREIGN SERVICE GRIEVANCES

The Senate amendment contained an amendment to the Foreign Service Act of 1946, as amended, that included detailed provisions relating to the handling of grievances by Foreign Service personnel.

The House bill did not contain a comparable provision.

The Senate receded.

AMBASSADORS AND MINISTERS

The Senate amendment contained a provision that no person shall be designated as ambassador or minister or designated to serve in any position or use any title which includes either of those words unless he is appointed as an ambassador or minister with Senate confirmation or in accordance with the constitutional provisions relating to recess appointments.

The House bill did not contain a comparable provision.

The House receded with an amendment that permits the President to confer the personal rank of ambassador or minister in connection with special missions for the President of an essentially limited and temporary nature not to exceed six months.

BASIC AUTHORITIES FOR UNITED STATES INFORMATION AGENCY

The Senate amendment included a section that is, in effect, a "point or order bill". It provided basic authority for USIA to support items traditionally included in annual Agency appropriation acts. The language in the Senate version was identical with the language regularly included in such appropriations acts and does not constitute any new authority.

The House bill did not contain a comparable section.

The House receded.

DOMESTIC DISSEMINATION OF INFORMATION BY USIA

The Senate amendment amended section 501 of the United States Information and Educational Exchange Act of 1948, to prohibit dissemination domestically of any information product of the U.S. Information Agency other than the publication, "Problems of Communism."

The House bill did not contain a comparable provision.

The House receded after the Senate provision was amended in two instances: first, to permit research students and scholars to examine USIA Information products in Washington; and, second, to clarify further that USIA materials are to be made available to Members of Congress for examination only and not for dissemination.

ACDA REPORT TO CONGRESS

The Senate amendment contained a requirement that the Arms Control and Disarmament Agency with the assistance of other relevant Government agencies shall prepare and submit to Congress a comprehensive report on the international transfer of conventional arms based upon existing

and new work in this area. It specified some of the items that should be included in the report.

The House bill did not contain a comparable provision.

The House receded.

PEACE CORPS NATIONAL ADVISORY COUNCIL

The House bill contained an amendment that abolished the Peace Corps National Advisory Council subject to the creation of a National Advisory Council for ACTION of which the Peace Corps is now a part.

The Senate amendment provided for the abolition of the Peace Corps National Advisory Council ninety days after the date of enactment of this legislation.

The House receded.

CERTAIN ADDITIONAL AUTHORIZATIONS OF APPROPRIATIONS

The Senate amendment included authorizations of appropriations for the Department of State and USIA for fiscal year 1973 for programs or activities authorized by law subsequent to the date of enactment of the authorization act for these two agencies.

The House bill did not contain a comparable provision.

The Senate receded.

EXPRESSION OF INDIVIDUAL VIEWS TO CONGRESS

The Senate amendment included language to permit a presidential appointee in any of the foreign affairs agencies to express his views and opinions, and make recommendations he considers appropriate, upon request by a committee of either House, a joint committee, or any member of such committee, if the request of the committee or members of the committee relates to a subject within the jurisdiction of that committee.

The House bill did not contain a comparable provision.

The House receded.

DEPARTMENT OF STATE PERSONNEL CEILING

The Senate amendment restricted the total number of American employees of the Department of State overseas to 6,000 after April 1, 1972.

The House bill did not contain a comparable provision.

The House receded.

UNITED NATIONS HEADQUARTERS CONSTRUCTION

The Senate amendment contained a provision reaffirming the authorization by the Congress (P.L. 91-622) of providing \$20,000,000 to the United Nations through the Secretary of State as a contribution to the cost of expanding the U.N. Headquarters in New York.

The House bill contained no comparable provision.

The Senate receded.

USE OF FOREIGN CURRENCIES

The Senate amendment contained a section modifying the restrictions on the use of foreign currencies in connection with travel by members of Congress.

The House bill contained no comparable provision.

The Senate receded.

INTERNATIONAL NARCOTICS CONTROL

The Senate amendment substituted new provisions in lieu of section 481 of the Foreign Assistance Act of 1961, as amended, authorizing an appropriation of \$42,500,000 for fiscal year 1973 for international narcotics control.

The House bill contained no comparable provision.

The House receded.

STUDY COMMISSION RELATING TO FOREIGN POLICY

The Senate amendment contained a title relating to the establishment of a study commission to submit findings and recommendations on the formulation and implementation

of American foreign policy, with membership from the Congress and the Executive Branch. The House bill contained no comparable provision.

The House recessed with an amendment.

TITLE

The Senate amendment provided that the Act may be cited as the "Foreign Relations Authorization Act of 1972."

The House bill provided that the Act may be cited as the "Department of State and United States Information Agency Appropriations Authorization Act of 1972."

The House recessed.

THOMAS E. MORGAN,
CLEMENT J. ZABLOCKI,
WAYNE L. HAYS,
L. H. FOUNTAIN,
DANTE B. FASCELL,
WILLIAM S. MAILLIARD,
PETER H. B. FRELINGHUYSEN,
WILLIAM S. BROOMFIELD,

Managers on the Part of the House.

J. W. FULBRIGHT,
JOHN SPARKMAN,
WILLIAM B. SPONG, JR.,
FRANK CHURCH,
GEORGE D. AIKEN,

Managers on the Part of the Senate.

PERMISSION FOR COMMITTEE ON GOVERNMENT OPERATIONS TO FILE REPORT ON U.S. ECONOMIC ASSISTANCE FOR THE KHMER REPUBLIC (CAMBODIA) UNTIL MIDNIGHT TOMORROW

Mr. MOORHEAD. Mr. Speaker, I ask unanimous consent that the Committee on Government Operations may have until midnight tomorrow night to file a report entitled "U.S. Economic Assistance for the Khmer Republic—Cambodia."

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

There was no objection.

PROGRAM FOR WEEK OF JUNE 13

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

Mr. FREY. Mr. Speaker, I take this time to ask the distinguished majority leader if he can inform us as to the schedule for next week.

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

Mr. FREY. I yield to the majority leader.

Mr. BOGGS. Mr. Speaker, in reply to the distinguished gentleman from Florida, we have concluded the program for this week and I will ask unanimous consent to go over to Monday.

Monday is Consent Calendar Day.

That will be followed by four suspensions:

First. H.R. 13694, American Revolution Bicentennial Commission;

Second. Senate Joint Resolution 211, National Commission on Consumer Finance;

Third. H.R. 15439, Compensation for Disabled Veterans; and

Fourth. S. 3343, Housing for Disabled Veterans.

For Tuesday there is the Private Calendar, to be followed by general debate only on the Public Works-AEC appro-

priation bill and general debate only on the Treasury-Postal Service appropriation bill.

On Wednesday and the balance of the week there is scheduled for consideration the State and Local Fiscal Assistance Act, commonly called the revenue-sharing bill, under a closed rule with 8 hours of debate; and the conclusion of consideration of the two appropriation bills which I have just mentioned, Public Works-AEC and Treasury-Postal Service; followed by consideration of the cyclamates ban compensation bill, which is subject to a rule being granted.

Of course, conference reports may be brought up at any time, and any further program will be announced later.

It is entirely probable that on Friday next the House will be in session. I might say that we have an exceedingly heavy schedule for the following week.

Under the plan previously announced, the House will recess for the Democratic convention at the close of business on Friday, June 30, so it is highly likely we will have business on Friday next and on the succeeding Friday.

Mr. FREY. I thank the distinguished majority leader.

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

Mr. FREY. I am delighted to yield to the gentleman from Iowa.

Mr. GROSS. As to what appropriation bill did the chairman of the Appropriations Committee ask permission for consideration on Monday or Tuesday?

Mr. BOGGS. On Tuesday.

Mr. GROSS. Tuesday. That would be the Treasury and Postal Service bill?

Mr. BOGGS. The gentleman asked to call up two, the Public Works-AEC bill and the Treasury-Postal Service bill, for general debate only.

Mr. GROSS. On both bills or one?

Mr. BOGGS. Both bills.

Mr. GROSS. May I ask the gentleman, when would it be planned to return to these bills, in view of the schedule thereafter?

Mr. BOGGS. Following the conclusion of the revenue-sharing bill.

Mr. GROSS. Conclusion of the revenue-sharing bill?

Mr. BOGGS. The revenue-sharing bill is the first order of business on Wednesday. If the rule is adopted, the debate cannot exceed 8 hours. So if all the debate is consumed, we will finish the revenue-sharing bill on Thursday.

Mr. GROSS. Then we will go back to the two appropriation bills, after the revenue-sharing bill?

Mr. BOGGS. That is correct.

Mr. GROSS. Is the debt-ceiling bill ready to be considered by the House?

Mr. BOGGS. The debt-ceiling bill is tentatively scheduled for Tuesday, June 27.

Mr. GROSS. I was in hope that would be called up tomorrow or Saturday, in view of the \$100 billion bill we just passed. I would think it would be urgent that the debt ceiling be increased in view of that kind of wild-eyed spending.

Mr. BOGGS. Well, the debt ceiling will be increased, as the gentleman knows.

ADJOURNMENT OVER TO MONDAY, JUNE 19, 1972

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the business scheduled for Calendar Wednesday on Wednesday next be dispensed with.

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

There was no objection.

TO SECURE HUMANE TREATMENT FOR OUR POW'S AND MIA'S

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

Mr. DELLENBACK. Mr. Speaker, according to the latest Department of Defense figures, 1,737 U.S. military personnel and civilians are reported captured or missing in action in Southeast Asia; 65 of these men are from my own State of Oregon. The parents, wives, and children of a majority of these men have no idea whether or not they are even alive. And those who do know, must still live in daily anxiety for the health and well-being of their loved one.

I am quite certain that everyone in this body would like to see the conclusion of the Vietnam war and the safe return of our prisoners to their families. It is further evident that many of us differ in our concepts of how to best achieve this end. While we in Congress endeavor to resolve the problem, however, we must not let up in our efforts to bring Hanoi into compliance with the provisions of the 1949 Geneva Convention relative to the treatment of prisoners of war.

Today I am introducing a resolution which offers a new and previously untried approach to obtaining humane treatment for our prisoners. It begins by recognizing the fact that under article 1 of the convention, every party is bound to "respect and to insure respect for the present convention in all circumstances." It points out that the United States has made every effort to convince North Vietnam of its obligations as a party. It then calls upon the other parties for assistance and urges them to fulfill their responsibility by "using all appropriate means at their command to persuade North Vietnam to fulfill its obligations under the convention." More than 130 nations are now parties to the convention, and although each bears the solemn responsibility of insuring respect for the convention, too few have taken it seriously.

Jean S. Pictet, one of the drafters of

the Geneva Convention, said the following in regard to article 1:

In the event of a Power failing to fulfill its obligations, each of the other Contracting Parties (neutral, allied or enemy) should endeavor to bring it back to an attitude of respect for the Convention. The proper working of the system of protection provided by the Convention demands in fact that the States which are parties to it should not be content merely to apply its provisions themselves, but should do everything in their power to ensure that it is respected universally.

The resolution which I am introducing will, if passed, put Congress on record as determined to seek the assistance of all contracting parties to gain this universal respect and to make the convention not just a meaningless piece of paper, but a binding agreement between responsible nations.

I will be reintroducing this resolution in the near future and will be sending out a "Dear Colleague" letter requesting the support of each of you who wish to join me in this effort to bring relief to our prisoners and their families. We have a responsibility to the American people to try every avenue of approach and we should not let up in this responsibility until we have met with success.

WHERE IS THE SUPPORT FOR REVENUE SHARING COMING FROM?

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

Mr. GIBBONS. Mr. Speaker, we are hearing a lot of talk about how Congress has got to pass the so-called revenue-sharing bill because there is so much support for it.

Well, Mr. Speaker, I have not received any expressions of support from the taxpayers of my congressional district, who would have to pick up the \$30 billion tab for revenue sharing.

In fact, I am receiving all kinds of expressions of opposition to the bill from all kinds of different sources for all kinds of reasons. For instance, both the AFL-CIO and the chamber of commerce have some pretty good reasons for their adamant opposition to the pending revenue-sharing bill—and it certainly is not very often that we find these two organizations on the same side of an issue.

I would like to know where all this supposed support for revenue sharing is coming from? In my experience, it is coming from a few tax-supported organizations who stand to gain tremendously by the passage of revenue sharing. These include the National League of Cities, the U.S. Conference of Mayors, the National Governors Conference, the Council of State Governments, the National Association of County Officers, and the International County Management Association.

Revenue sharing may bring money and power to these tax-supported organizations, but it does not look like it will bring anything to the average taxpayer, but higher Federal taxes, increased inflationary pressure, and higher interest payments on the national debt.

I think the taxpayers in my district

would be pretty mad to find out that these tax-supported organizations are using tax funds to lobby for such a costly and inequitable bill which was likely to bring the average taxpayer nothing more than this.

At this point in the RECORD, Mr. Speaker, I would like to insert the communications of opposition which I have received from just two of the many non-tax supported organizations which are opposed to the revenue-sharing bill—the AFL-CIO and the chamber of commerce.

The material follows:

JUNE 9, 1972.

HON. SAM GIBBONS,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN GIBBONS: The AFL-CIO opposes a closed rule on the so-called revenue sharing bill reported out by the Ways and Means Committee because we believe the legislation can be substantially improved on the floor.

We cannot support the bill in its present form. The Committee bill deviates in many areas from the original bill introduced by Chairman Mills, which we did support.

Our specific concerns are:

1. Although local government would receive two-thirds of the funds in the first year of the five-year program, their share would decrease each subsequent year until it reached 55 percent in the fifth year. The state share, which is totally without functional strings or labor standards, would be increased each year. As a result, the cities would be shortchanged.

2. The "high priority" local government expenditure categories have been made so broad that, in our view, apart from education and welfare, few functions would be excluded. This would dilute the impact of the proposal on the pressing needs of local governments.

3. The labor standard sections that apply to local government expenditures are too weak, while the state share has no labor protection provisions.

4. In the original Mills bill, the state share, although without restrictions as to use, was totally conditioned on a state's income tax effort. The Committee bill waters down this allocation formula so that income tax effort would have only half the weight as in the original bill. As a result, states with no income taxes would receive some funds for the entire five years. In the original bill, a non-income tax state could receive a minimum payment for only two years.

The Committee bill, in our opinion, is closer to the Administration bill than the original Mills bill in that the expenditure strings and labor standards are weaker; they apply to a smaller portion of the funds, and a lesser proportion of the money would go directly to the cities.

We believe that the House should have the opportunity to significantly improve the revenue sharing proposal by strengthening labor protection provisions, insuring that two-thirds of the funds go to local governments, directing these funds to high-priority functions, and encouraging states to reform their tax structures.

Sincerely yours,
ANDREW J. BIEMILLER,
Director, Department of Legislation.

HON. SAM GIBBONS,
U.S. House of Representatives,
Washington, D.C.:

Members of the Chamber of Commerce of the United States greatly disappointed with major aspects of revenue sharing bill, H.R. 14370. While we applaud some features of bill, we believe bill should be changed: (1) to abandon automatic five-year appropriation, and provide instead for multi-year ap-

propriations under five-year authorization and for regular appropriations review by Congress, (2) to expand list of high priority national purposes for which funds may be spent, so State and local governments may have greater flexibility in allocating funds according to actual local priority needs, (3) to require that State grants, like local grants, should be spent for stated broad purposes, and (4) to remove discriminatory tie between grants to States and existence of any specific type of State tax. National chamber supports concept of block grant aid to cities and States. But believes these changes essential to make bill more effective, more fair, and more fiscally responsible. Because such changes not possible under closed rule, we encourage you vote against rule with hope ways and means committee would then modify bill accordingly before bringing back to floor.

ARCH N. BOOTH,
Executive Vice President.

CRISIS IN SURVIVAL: THE PLIGHT OF SOVIET JEWRY

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

Mr. RYAN. Mr. Speaker, I am pleased to join with Congressman BERTRAM PODELL and over 100 of my colleagues in the House in sponsoring the National Conference of Soviet Jewry exhibit on the steps of the Capitol today. This display, which is entitled "Crisis in Survival: The Plight of Soviet Jewry," was prepared by the Greater New York Conference on Soviet Jewry in cooperation with the Anti-Defamation League of the B'nai B'rith. Various aspects of Soviet Jewish life were depicted, and Rabbi Gilbert Klaperman, chairman of the Greater New York Conference on Soviet Jewry, the central coordinating and resource body for more than 70 Jewish organizations in the New York area on the plight of Soviet Jewry, made the presentation.

The ceremony was held in commemoration of the second anniversary of the arrests of nine Soviet Jews in Leningrad for the attempted hijacking of an airliner. They were brought to trial and convicted in December of 1970. The fact that two death sentences and harsh prison terms were imposed prompted me at that time to urge then-Speaker McCormack, then-Majority Leader ALBERT, and the chairman of the House Foreign Affairs Committee to bring to the floor, in the closing days of that Congress, a resolution condemning the persecution of Soviet Jews and urging the Soviet Union to provide fair and equitable justice for its Jewish citizens, as I had introduced. On December 31, 1970, the House leadership brought to the floor, and the House passed, House Resolution 1336, which put the House on record in support of religious freedom and equal justice for all Soviet citizens.

There have been other measures passed by the House which illustrate the growing concern of many Members about the plight of Soviet Jewry and their conviction that the United States should demand of the Soviet Government that it grant Soviet Jews the basic rights to which all men and women are entitled.

On April 17 of this year the House

passed a resolution, House Concurrent Resolution 471, of which I was a co-sponsor, which requested the President to call on the Soviet Government to permit the free expression of ideas and exercise of religion by all of its citizens, and to use all formal and informal channels to convey this position. It calls on the President to request of the Soviet Government that it allow its citizens the right to emigration to the countries of their choice, as affirmed by the United Nations Declaration of Human Rights, and it calls on the State Department to raise in the General Assembly of the United Nations the issue of the Soviet Union's transgression of the Declaration of Human Rights.

However, if Soviet Jews are to win the struggle for survival, their cause must be kept center-stage. It is widely believed that worldwide concern and pressure on Soviet officials is responsible for the increase in the number of Jews being permitted to emigrate, and the public outcry following the secret trials in Leningrad in 1970 did force the Soviets to commute the death sentences of two men whose only crime was to yearn for freedom.

We must continue to focus world attention on the plight of Soviet Jews, and intensify the pressure on the Soviet Government on their behalf. In light of the recent summit talks in Moscow, it is vital that we reaffirm our commitment to assist Soviet Jews and that we make clear that discussions between world leaders will not suffice. Substantive action on the part of the Soviet Government will have to be forthcoming, and we will continue our efforts until that action is taken.

Albert Arent, chairman of the National Jewish Community Relations Advisory Council, a joint consultative and planning body of 92 Jewish councils in cities throughout the United States and nine major national Jewish organizations, spoke today on the steps of the Capitol of the impending trials of Soviet activists and read a declaration prepared by the National Conference on Soviet Jewry:

Over 40 Jewish prisoners of conscience are now incarcerated in prison, still dreaming and praying for a day, a moment, of freedom. We stand with them. These suffering Jewish heroes are our symbol of man's most courageous and profound struggle for Jewish rights and for individual human freedom.

I think it only fitting that we who are fortunate enough to live in a free society play an active role in this struggle for freedom, and I would like to commend Congressman POWELL for organizing today's display on behalf of Soviet Jews.

USDA BLUEPRINT TO SCUTTLE FARM PROGRAMS AND FARMERS

(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, my attention has been called to a blueprint for future U.S. agricultural policy which has been prepared in the Department of Agriculture by a committee of 15 young executives. The plan calls for terminating

all price-support programs, including wheat, feed grains, dairy products, wool, sugar, cotton—absolutely all of them—and disregarding in all future agricultural programs the income needs of farmers and ranchers.

The blueprint, obviously sponsored by a carefully selected group of young executives to give it a new generation look, is nonetheless the same blueprint made a decade ago by large agribusiness tycoons in the Committee for Economic Development's "Adaptive Plan for Agriculture" and other documents.

The 15 young executives at USDA, appointed by former Secretary of Agriculture Clifford M. Hardin and continued by Secretary Earl L. Butz, were first schooled at seminars addressed by USDA officials and others in Washington. Then they were divided into subgroups to go out into the field and talk to food producers, farmers, and others involved in agriculture. They actually visited Mississippi, south central Texas, Washington, and California, neglecting not only most of Texas but also ignoring the Northeast, Southeast, Midwest, and Great Plains—most of agricultural America.

Then they came back to Washington, D.C., and wrote their paper, which reflects the madcap agribusiness schemes to take agriculture away from bonafide farmers and ranchers. This is undoubtedly going to be suggested to the agriculture committees, in one way or another, when they start studying a program to follow the set-aside law which expires December 31, 1973.

The Young Executive Committee's report has not been released by the Department of Agriculture, although presented to the Secretary some time ago, and is not likely to be officially released before very late this year.

I think it should be made available to everyone now, for it illuminates the thinking behind our current policy of driving farm grain prices down to world price levels, where there are no floors and prices are set by nations that are dumping their surpluses into that market. It also makes clear why the House Agriculture Committee has urged us during discussions of the set-aside program, to support the President's new welfare plan to take care of 300,000 displaced farmers that former Secretary Hardin estimated would go onto welfare rolls.

The Young Executives earth-shaking report speculates that the number of farms in America, as a result of lower prices and a \$6 billion or 40-percent loss in net income, might drop as low as 600,000. According to the census there were 2.7 million farms and ranches in December 31, 1969. A reduction of 2.1 million farms and ranches is therefore contemplated.

Also, according to the Young Executives, value of farmlands would drop billions of dollars with the removal of farm price supports—lands would be much cheaper for the big agribusiness conglomerates to acquire. Tobacco farmers' assets alone—the one commodity on which any estimate was made—would stand to lose \$2 to \$3 billion in capital values, to say nothing of their losses of annual income.

The blueprint amounts to the most

colossal scheme to demolish agriculture as we know it today, and throw this whole Nation into an economic tailspin, that I have yet seen.

I suspect that because of the election year, this document will be disclaimed, if not repudiated.

One of my purposes in calling attention to it at this time and giving some official public cognizance to it, is to let the disclaimers pour out where we can examine them for equivocation, hedging, or bona fide repudiation of this scheme to bankrupt all farm enterprises and replace them with vertically or horizontally integrated production units.

I would like to put the whole 50-page document in the RECORD, but because of limitations on insertions, I am including only about eight pages of its contents including a statement of the study background, and excerpts from a summary of findings and recommendations.

If the Department of Agriculture does not promptly print and distribute the entire document prepared by its Young Executives Committee at taxpayers' expense, then I shall submit it in its entirety for the RECORD, or request the Agriculture Committee to get out an edition.

The copy I have obtained comes to me through the National Farmers Organization. Their paper, the NFO Reporter, contains rather liberal quotes from the Young Executives findings in its June issue and I request the full text from which their material was obtained.

The article follows:

NEW DIRECTIONS FOR U.S. AGRICULTURAL POLICY

COMMITTEE MEMBERS

Gene S. Bergoffen, Executive Secretary, Forest Service; Allan S. Johnson, Project Leader, Economic Research Service; Carol G. Alexander, National Agricultural Library; Karen L. Berke, Agricultural Marketing Service.

John S. Bottum, Extension Service; John E. Carson, Animal and Plant Health Inspection Service; Betty L. Dotson, Food and Nutrition Service; Avram E. Guroff, Economic Research Service.

Clarence R. Hanna, Office of Information Systems; James E. Haskell, Farmer Cooperative Service; Homer R. Hilner, Soil Conservation Service; Jerome A. Miles, Office of Budget and Finance.

Gerald C. Puppe, Federal Crop Insurance Corporation; William L. Ruble, Agricultural Stabilization and Conservation Service; Robert P. Shiner, Commodity Exchange Authority.

STUDY BACKGROUND

The Young Executives Committee was established by Secretary's Memorandum No. 1727, April 26, 1971. Each of its 15 members represent an agency of the Department of Agriculture.

Shortly after the Committee was established and organized, then Secretary of Agriculture Clifford M. Hardin asked it to undertake a review of the "farm income question" and to present its views to him and his staff.

As part of its information-gathering activities, the Committee arranged seminars with a number of Department officials and others outside the Department. In November 1971, the Committee divided into subteams of three each and visited four areas of the country to talk with farmers, food producers, and others involved in agriculture. Teams visited South Central Texas, Mississippi, Washington, and California.

Viewpoints were developed on the basis of

position papers developed by individual members and discussed by the Committee. When points of view were adopted by the Committee, individual members were assigned to draft report sections incorporating the Committee positions.

The entire report has been reviewed in detail by members of the Young Executives Committee and is submitted as a Committee document.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

Farm income—a new perspective

The Committee concluded that the basic farm income statistics developed and published by the Department tend to present a distorted picture of the true economic conditions in the farming sector. The statistics include establishments that cannot reasonably be called farms and are inconsistent with the Department's farm income mission. The Department's mission is stated in terms of equitable returns to resources whereas the statistical measures are concerned with income of farmers, a welfare concept. To overcome these deficiencies the Committee recommends: 1) farms be defined as establishments with annual sales of \$5,000 or more, 2) elimination of the parity price ratio, and 3) development of a set of statistics which would compare the return to all resources, including family labor, used in the production of each agricultural commodity with what these resources could earn outside of agriculture.

A policy framework for agriculture

The policy framework recommended by the Committee has the following characteristics:

1. Agriculture should be viewed as an industry which consumes resources, provides employment, and produces goods of value to society.
2. National policy for agriculture should be directed at creating an environment which would enable the industry to provide adequate supplies of food and fiber at reasonable prices to meet domestic needs and to compete in world markets.
3. National policy should not be directed at assuring any particular level of income from farming for the Nation's farmers. Income from farming should be of concern only to the extent that it affects the industry's ability to produce efficiently adequate supplies of food and fiber.
4. National policy should be directed toward maintaining agriculture as a viable industry and not as a way of life.
5. The agricultural industry should operate with a minimum of direct involvement by the public sector. The public sector's role should be limited to the establishment and enforcement of rules which will allow the industry to maximize its contribution to the total welfare of the Nation.

Effectiveness of the Basic Farm Programs and Recommended Changes

The present basic farm programs—the farm price support program and related direct payments to farmers—are not consistent with the Committee's basic policy framework for U.S. agriculture. The programs are costly, they limit supplies of food and fiber, and they are a deterrent to the efficient production of agricultural commodities. Because the program benefits have been capitalized into land values, their income benefits to second generation owners is negligible.

The Committee recommends that the basic farm programs be phased out over a period of 5 years. This should be accomplished by reducing the payment per bushel of projected yield rather than by restrictions on total payments. Over the same 5-year period, non-resource loan rates would be reduced to a "disaster price" level for feed grain crops and wheat and to zero for all other crops.

Comments and Recommendations Concerning Other Programs Affecting Farmers and Farm Income

Farm Credit

In concert with the objective to assure adequate supplies of food and fiber, the Nation must see that the credit needs of the farm sector are met. Private lenders, along with the Farm Credit System, should be capable of providing these credit needs. The Farm Credit System should continue to compete for funds in the money markets; their bonds should remain uninsured by the Federal Government; and their loans should be free of any interest subsidy to the borrowers. The Emergency Loan Program administered by the Department's Farmers Home Administration (FHA) needs to be continued. The Committee recommends elimination of the Farm Ownership Loan and Farm Operating Loan programs and questions the need for subsidized soil and water loans and loans to grazing associations.

Domestic Market Promotion

Expenditure of public funds for domestic promotion of agricultural products should be limited to those activities that can be justified on the grounds of improving human nutrition.

Foreign Market Promotion

The United States and other countries should strive to minimize artificial trade barriers. But increased reliance on free trade will require stepped up efforts on the part of the United States to compete for world markets. This needs to take the form of improved intelligence of trade potentials by commodity and by country. Promotional activities will also be needed.

Crop Insurance

To the extent that crop insurance is not available through the private sector it should be provided by the Federal Government. If provided by the Federal Government, the premiums charged need to reflect the actual risk assumed.

Production and Market Research

The abundance of low-cost food and fiber in the United States can be attributed in large part, to publicly supported production and market research and dissemination. Such research and associated dissemination activities must be continued if we are to meet the needs of a growing population and compete in world markets.

Market Information and Monitoring Activities

Transferring the function of supply management from the public to the private sector will increase the information needs of the latter. Only the public sector, with its legislative authority to acquire data from private sources, is equipped to meet these needs. It will be necessary for the Department to monitor the agricultural economy to assure success relative to the Nation's objective to provide adequate supplies of food and fiber at reasonable prices.

Farmer Bargaining

The Committee supports all assistance government can reasonably give producer cooperatives and market agreements and orders should be authorized wherever appropriate. But the Committee would discourage enactment of any legislation that would exempt farmer associations from antitrust laws. The policy objective in this area should be to bring about a balance in the relative bargaining strength of producers and buyers without compromising existing antitrust laws or seriously disrupting the marketing and distribution system.

Improving the Level of Living in Rural America

Agriculture cannot be looked upon to provide employment opportunities sufficient to

maintain the present population base of rural areas. Neither can agriculturally oriented programs solve rural welfare problems. If rural towns and communities are to survive, and hopefully grow, off-farm employment must be found. Toward this end, the Committee makes the following recommendations:

1. Immediate enactment of the Family Assistance Plan.
2. Improved educational and vocational training for rural residents.
3. Tax incentives for industries locating plants in rural areas. Such tax incentives should be granted through the Federal tax system.
4. A credit system should be established to make credit available for construction of community services and facilities and housing. The credit should take the form of insured loans.
5. Technical advisors, trained in community planning, should be made available to rural communities. These technical advisors need to be supported by an expanded research effort on the complex problems of rural development.
6. A national framework for land use planning should be developed to guide future growth and development.
7. A visible, specified, cabinet-level body or official must be designated to coordinate rural development efforts. The Committee firmly believes that stronger national direction is imperative and, therefore does not believe that Rural Community Development Revenue Sharing proposal should be the principal thrust toward improvement of the rural sector.

TRIBUTE TO DR. ELSON

The SPEAKER. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 30 minutes.

Mr. BROWN of Ohio. Mr. Speaker, on Sunday, May 14, 1972, the Reverend Dr. Edward L. R. Elson, S.T.D., announced to his congregation at the National Presbyterian Church, that he would no longer be maintaining a full preaching schedule hereafter. He had earlier this year given notice of his retirement from pastoral responsibilities effective January 1, 1973. I would like to enter the following tribute to the Reverend Dr. Elson, who through his pastoral achievements and spiritual leadership, has established himself as one of the most distinguished clergymen in America today. A more comprehensive curriculum vitae on Dr. Elson and a summary of the sermon on the Sunday he relinquished the pulpit have been placed in the Extension of Remarks section of today's Record.

Few churchmen of our day have had such a notable and outstanding ministerial career than the senior minister of The National Presbyterian Church, Washington, D.C. Dr. Edward L. R. Elson is a nationally known and recognized Christian leader, and remains in great demand as lecturer, writer, and conference speaker.

Born in Monongahela, Pa., Dr. Elson received the A.B. degree from Asbury College in 1928 and the M. Th. degree from the University of Southern California in 1931. Since that time, no less than 16 colleges and universities have conferred upon him their honorary doctoral degrees.

Throughout his ministry, Dr. Elson has been a committed churchman. He was ordained by the Presbytery of Los Angeles in 1930. For 10 years, he served as the pastor of the First Presbyterian Church, La Jolla, Calif., before accepting the call to become pastor of The National Presbyterian Church here in the Nation's Capital. He has faithfully served this church as senior minister since 1946.

In addition to his regular pastoral duties, Dr. Elson has given leadership in his denomination. He served as moderator of both the Los Angeles Presbytery and of the Presbytery of Washington City. He was also president of the Washington Federation of Churches from 1952-54, and was six times commissioner to the general assembly of the United Presbyterian Church in the United States of America. But perhaps even more significant is the leadership that Dr. Elson has given among government officials. He served as pastor and personal counselor to President and Mrs. Eisenhower, and has preached the Christian Gospel to hundreds of America's governmental leaders with great power and influence.

While achieving national distinction as a Christian leader, however, Dr. Elson has also been a servant among men. His national stature has not kept him from a life of community service. He has given unselfishly of his time and influence, serving as chairman of the National Council, American Friends of the Middle East; as member of the National Advisory Council, Welfare of the Blind, Inc.; and as a member of the Advisory Committee on the Arts, John F. Kennedy Center for the Performing Arts.

Numerous awards and honors have been given Dr. Elson in recognition of his ministry and service. Ten times he has been the recipient of the Freedoms Foundation Award, the latest being the Principal Sermon Award, 1971. In 1954, he was selected Clergy Churchman of the Year. He received the Honor Medal Award for his book, *America's Spiritual Recovery*, 1954. He has been the recipient of 18 military decorations for his service as a U.S. Army chaplain, retiring from the service in 1961 with the rank of colonel. But the most significant honor in Dr. Elson's ministry came in January of 1969, when he was elected Chaplain of the U.S. Senate. He assumed the Chaplain's duties in addition to his regular pastoral responsibilities and will continue to serve as Chaplain after his retirement from the pastoral ministry of National Presbyterian Church.

Dr. Elson has been assisted in his ministry by his gracious and beloved wife, Helen. They have four children, all residing in the Washington-Baltimore area.

Upon completion of his pastoral duties, Dr. Elson will continue as Senate Chaplain as well as maintain a moderate schedule of speaking, traveling, and writing. The author of five books and a contributor to 10 others, he will continue to add to his already significant volume of published works.

As one who has given himself without reserve to the Christian ministry and to the service of mankind here in the Na-

tion's Capital, it is fitting and right that this tribute of recognition, of appreciation, and of congratulations be heartily given to one of America's outstanding and most distinguished Christian leaders.

Mr. PIRNIE. Mr. Speaker, I am very pleased that we are taking note of the Christian leadership provided by our good friend, Dr. Edward L. R. Elson, who has announced his retirement as pastor of the National Presbyterian Church in our Nation's Capital.

During the past 14 years, it has been my privilege to witness the courageous and objective leadership which he has provided. We are grateful that his ministry has included distinguished service as a chaplain in our Armed Forces and currently as Chaplain of the U.S. Senate. His personal philosophy and religious commitment have consistently supported all that is best in American life. He has believed in the power of Christian character to protect and develop this Nation and has sought individual courageous sacrifice to the attainment of this end. His deep thinking, clear logic, and articulate sermons have made possible a vital ministry of outstanding impact.

In a time when some of his calling have been losing a sense of national dignity, spiritual unity and pastoral responsibility, he has continued to serve in a way to command affection and respect. I have been proud of his ministry and consider it a privilege to enjoy his friendship. Although he richly deserves release from the pressure of his heavy responsibilities, I trust that his continuing presence will bless the spiritual life of our Nation's Capital. Also, I wish for him and his charming wife, who has so graciously supported his distinguished career, happiness and health in the years ahead.

Mr. FOUNTAIN. Mr. Speaker, it is a great pleasure for me to join my able colleague, the gentleman from Ohio (Mr. BROWN) and other colleagues who are paying well-deserved tribute to the eminent Chaplain of the Senate, the Reverend Dr. L. R. Elson, one of America's most noted preachers and spiritual leaders, on the occasion of his retirement from the pastorate of the National Presbyterian Church. For over a quarter of a century Dr. Elson has served in this pastorate with great distinction. It is good to know that he will continue to serve in the Senate, and that his rich accumulation of experience and insight will be communicated to an even larger congregation as he enters upon the vocation of "preacher at large."

Dr. Elson has always been sensitive to the issues of the day and has spoken out with courage born of deep faith in God, a faith which helped create the present National Presbyterian Center. It has been my privilege to know him as pastor through my own and my family's attendance at the National Presbyterian Church, and while serving on the church's board of trustees during the initial period when plans were being made for the present National Church and National Presbyterian Center. Also, since January 1953, when I came to this body, I have come to know and appreciate Dr. Elson as a close personal

friend, whose relationship has been a continuing source of inspiration and strength. During all of these years, our friendship has been and is a deeply rewarding experience for me and for my family—an experience which we will always cherish and hold near and dear to our hearts.

I know of no clergyman in America who better understands and appreciates not only the nature, the service, the responsibilities and problems of men and women in public life and government on the national scene, especially the Presidency and members of the Congress of the United States, but who also has an intimate knowledge and awareness of their hopes, their dreams and their aspirations, not just for themselves and their families, but for the constituencies they have been chosen to represent.

Of Dr. Elson it may be said, in the words of the Prophet Jeremiah:

Blessed is the man that trusteth in the Lord, and whose hope the Lord is. For he shall be as a tree planted by the waters, and that spreadeth out her roots by the river, and shall not see when heat cometh, but her leaf shall be green.

Mr. McCOLLISTER. Mr. Speaker, I am pleased to join my colleagues today in honoring Dr. Edward L. R. Elson as he retires from the active ministry of the National Presbyterian Church. His contributions to religious life in Washington span 26 years and include numerous achievements. During that time he has been recognized on many occasions for his leadership among the clergy of our country.

Members of both the House of Representatives and Senate are gratified that Dr. Elson will be continuing his duties as Chaplain of the Senate. We hope that this decrease in duties will provide him more of the leisure time he deserves after so many years of service.

Mr. WHALLEY. Mr. Speaker, "He preaches well," wrote Cervantes, "that lives well," a sentiment repeated with slightly different emphasis a century later by Thomas Fuller:

None can pray well but he that lives well.

Both sayings aptly describe the life and ministry of Dr. Edward L. R. Elson, the distinguished Chaplain of the U.S. Senate, whose resignation from the pastorate of the National Presbyterian Church marks his retirement after 42 years in the parish ministry.

Ordained in 1930 by the Presbytery of Los Angeles, Dr. Elson, who celebrated his 65th birthday in December, was called to the National Presbyterian Church—or Covenant-First Presbyterian Church, as it was formerly known—in 1946, and has served that pastorate for some 26 years, fully a quarter century.

Happily, Dr. Elson's resignation from his pastorate does not mark the end of his public ministry. He has announced that he will continue to serve as Chaplain to the Senate while devoting more time to his writing and to his vocation as a "preacher at large."

From Jonathan Edwards to Phillips Brooks, preaching in the great tradition has been a vital part of the American scene. Dr. Elson stands within that tradi-

tion. His has been a prophetic voice—forthright in advocacy of truth regardless of the currents of the day.

I speak as one who has been associated with the National Presbyterian Church during Dr. Elson's pastorate.

It was during Dr. Elson's ministry that the National Presbyterian Church Center was relocated from the old edifice at 18th and N Street NW, to the present \$8.5 million complex on Nebraska Avenue. His leadership during these years of change and renewal has been a crucial factor in the life of the National Church as in the larger religious community in Washington and throughout the land.

We rejoice that Dr. Elson will continue his ministry in the Congress and in the Nation, and we wish him many years more of service to God and country.

Mr. BOW. Mr. Speaker, one of the greatest rewards of service here in Congress is the opportunity to enjoy associations and friendships with some of the outstanding men of our time. Dr. Elson is certainly such a man, and it has been both a personal pleasure and a privilege to know him as a friend.

Dr. Elson has special connections with the 16th Congressional District through the College of Wooster, a Presbyterian institution. At least one of the Elson children has attended that college during my years of service here. I am grateful to Dr. Elson for serving as the speaker at a Frank Bow Day celebration several years ago on the campus at Wooster. These are associations that are dear to me.

Beyond that, of course, I must pay tribute to Dr. Elson's outstanding spiritual leadership and express my appreciation for his guidance. Dr. Elson is one of the most distinguished clergymen in American today, and he is also a pillar of strength within the Presbyterian church of which I have been a lifelong member.

Though he retires now from the active ministry, I am confident that Dr. Elson in his role as Chaplain of the Senate and in many, many other activities will continue to make a profound and lasting contribution to our society.

Mr. FUQUA. Mr. Speaker, reaching to the sky at the National Presbyterian Church and Center is the "Tower of Faith."

Ceremonies dedicating the tower were held only recently for the 173-foot free-standing bell tower of Presbyterian Church showplace in Northwest Washington.

No man appreciated those ceremonies more than the distinguished theologian and minister, Dr. Edward L. R. Elson, the pastor of the National Presbyterian Church for the past 26 years.

Dr. Elson has announced his plans to relinquish the demanding role as pastor of this historic church, but will continue his distinguished service as Chaplain of the U.S. Senate.

This announcement is particularly moving to my family, for we worship at the National Presbyterian Church while maintaining our membership in my home church at Blountstown, Fla.

Through this experience, I have come

to appreciate Dr. Elson as a minister and as a man. I know from others the difficult task which went into the removal of this great church from downtown Washington to this remarkable structure which represents Presbyterians everywhere.

Dr. Elson has distinguished himself as Chaplain of the Senate. Here he is the friend and adviser to Members of that body in their deliberations in the most trying period in our Nation's history.

When Dr. Elson does retire, he can look back upon a full life. One filled with accomplishment and that rare accolade of his fellow man—honored, respected and his accomplishments recognized in his own time.

GENERAL LEAVE

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in tribute to this distinguished American.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? There was no objection.

KEMP END THE WAR RESOLUTION

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. KEMP) is recognized for 15 minutes.

Mr. KEMP. Mr. Speaker, I have introduced before the House of Representatives, a House concurrent resolution which, if enacted, can put an end to the bloodshed, human suffering, and destruction which has been inflicted upon Southeast Asia for the past 25 years. This resolution draws on many of the proposals that have been previously introduced in Congress, and contains a number of unique, and very responsible approaches toward a plan for lasting peace in Southeast Asia. The measure seeks not only to end the involvement of the United States in the war, but also to put an end to the war itself. The resolution establishes seven broad objectives which were sought by my distinguished Democratic colleague, Mr. CHARLES H. WILSON of California in his resolution of April 29. Those objectives, according to Mr. WILSON, follow the intent expressed by the Democratic Caucus vote of April 19, and also follow from the President's recent peace initiatives. They are: First, to end the war; second, to repatriate the prisoners of war; third, to settle political issues; fourth, to guarantee the peace; fifth, to alleviate human suffering; sixth, to guarantee self-determination to the people of Vietnam; and seventh, to reunite the American people.

Mr. Speaker, the time has come for positive alternatives to end this war; reopening the peace talks and negotiating a date certain for total withdrawal of all foreign forces from sovereign territory anywhere in Indochina are two such alternatives. This Congress cannot by legislative act impose an agreement upon the parties of this war, nor will cutting off funds bring about the cessation of hostilities which result in continued human and ecological devastation of the

Asian people and their land. But this resolution can, by registering our bipartisan singleminded purpose of finding an end to the war, usher in a new day of negotiation, which is the only course offering hope of a lasting peace in Southeast Asia.

Mr. Speaker, if an end to the war, an end to the killing, and the repatriation of prisoners is what we really want, this House concurrent resolution is the path to follow, and one which I believe all people of good will and compassion can support.

As a conclusion, I will include an excellent editorial from the Washington Evening Star of June 13.

As the Star editorial points out, the prospects for peace seem to be growing brighter. Now is the time to reaffirm our commitment to ending this war. Adopting this resolution will not only add impetus to the support our negotiators must have, but will also demonstrate our commitment to finding an end to the war to the other side. An affirmative action from this body cannot help but be useful. The editorial follows:

PEACE PROSPECTS

It may be too much to hope for; the many disappointments of the past discourage excessive optimism. But it may be that for the first time there is today a real possibility for an acceptable negotiated settlement of the war in Vietnam.

The changing prospect is reflected in the return to Paris of the chief American delegate to the peace talks after a boycott of five weeks. Ambassador William J. Porter has emphasized the intense interest of President Nixon in some kind of negotiated settlement, noting that his return to Paris was "an additional indication of his (Mr. Nixon's) strong preference and hope that such a settlement can be achieved."

This renewed hope, in turn, undoubtedly reflects a dramatic shift in the military perspective in South Vietnam. At the outset of the North Vietnamese offensive at the end of March, there was lively anxiety in Washington and Saigon over the possibility of a military debacle. The fear was that the Communists would succeed in routing the South Vietnamese army, seize several important provincial capitals, including Hue, and then propose to parley. The outlook for an acceptable political settlement under those circumstances would have been more than dismal.

Now this prospect has radically changed for the better. The South Vietnamese, with heavy American air support, have held at Hue, An Loc and Kontum. On most fronts the South Vietnamese appear at this point to have regained the military initiative, inflicting heavy losses on the invading forces.

The situation today—perhaps prematurely—is being compared to the last major Communist offensive during Tet in 1968. In reality, however, it is quite different. In 1968, the Communists, by sacrificing virtually their whole indigenous Viet Cong apparatus, achieved far greater initial successes, including the seizure of Hue and heavy fighting in Saigon itself. This time, the leaders in Hanoi appear to be willing to sacrifice their entire regular army in an effort which so far has produced no comparable results.

Their offensive, furthermore, has resulted in the mining of all major harbors and a renewal of full-scale bombing of military targets in North Vietnam of an effectiveness that was never achieved in earlier years. This time, even the most skeptical experts concede that Hanoi's capacity to continue the war in the South is being very seriously reduced.

In this situation, the leaders in Hanoi may well be contemplating the defeat of their offensive, the destruction of a major part of their army, their domestic industrial plant and their system of communications. It is possible that they are asking themselves where they go from here; reports of strong disputes within the North Vietnamese politburo appear well-founded. The North Vietnamese are also painfully aware that their difficulties have not prevented a significant rapprochement between the United States, China and the Soviet Union.

All of which suggests the possibility that the leaders in Hanoi may, at long last, be willing to talk seriously about a political settlement that would permit the withdrawal of the remaining American troops, a return of American war prisoners and an end to the fighting. That is a prediction which no one on the basis of past performance can make with much confidence. But it is certainly a possibility that must be explored with great care.

TWENTY-FOUR MEMBERS INTRODUCE BUDGET PROPOSAL

The SPEAKER. Under a previous order of the House, the gentleman from Illinois (Mr. FINDLEY) is recognized for 10 minutes.

Mr. FINDLEY. Mr. Speaker, with a bipartisan group of 24 cosponsors, including several prominent members of the Ways and Means and Appropriations Committees, today introduced an amendment to the Rules of the House of Representatives aimed at more businesslike control of the Federal budget.

LIST OF COSPONSORS

Bill Archer, (R-Tex.).
Charles E. Bennett, (D-Fla.).
William G. Bray, (R-Ind.).
Harold R. Collier, (R-Ill.).
James M. Collins, (R-Tex.).
David W. Dennis, (R-Ind.).
Pierre S. du Pont, (R-Del.).
John N. Erlenborn, (R-Ill.).
Dante B. Fascell, (D-Fla.).
Edwin B. Forsythe, (R-N.J.).
Sam Gibbons, (D-Fla.).
David N. Henderson, (D-N.C.).
Edward Hutchinson, (R-Mich.).
Alton Lennon, (D-N.C.).
Manuel Lujan, Jr., (R-N. Mex.).
James R. Mann, (D-S.C.).
Robert H. Michel, (R-Ill.).
Albert H. Quie, (R-Minn.).
John J. Rhodes, (R-Ariz.).
John H. Rousselot, (R-Calif.).
Herman T. Schneebeli, (R-Pa.).
Charles Thone, (R-Nebr.).
Samuel L. Devine, (R-Ohio).
Henry S. Reuss, (D-Wis.).

Under the proposal, the House cannot consider any appropriation bills until it has first approved a resolution containing a comprehensive Federal budget for the ensuing fiscal year.

The budget resolution must include an estimate of tax revenues, expenditure ceilings for each main appropriation bill, and recommendations on handling differences between revenues and expenditures. If expenditures exceed revenues, for example, the resolution must include a recommendation to raise taxes or increase the Federal debt, or a combination of both.

Once the budget resolution is approved, appropriation measures would be handled in customary fashion, with one important exception. Two-thirds affirma-

tive vote would be required for the House to approve any appropriation bill which exceeds the provisions of the budget resolution.

This rule change could establish a much more businesslike control of the Federal budget. Under it, the House would make fundamental decisions on how much aggregate spending should occur and where the money will come from—before it starts to approve separate spending bills.

Almost every business firm and municipality in the country—even the smallest—adopts a budget before it starts spending money for the coming business year. Ironically, the institution charged by the Constitution with controlling the largest business in the country, the Federal Government, does not adopt a budget. To be sure, the President proposes one, but at no time does the House of Representatives adopt the President's budget or one of its own.

Under present procedures, the House never faces up to these fundamental questions. Instead it starts appropriating money piecemeal with little regard for how the pieces fit the total spending pie, and how it all will be financed.

For example, when the House finishes work today on the Labor-HEW appropriations bill, it will have approved seven separate bills, aggregating \$64 billion. This is \$240 million more spending for these categories than requested by the President, and—more importantly—it is \$9 billion more than revenue prospects would justify. In short, the House has already spilled \$9 billion in red ink for fiscal 1973, and only half of the appropriation bills have come forward. Some of the biggest are yet to come.

If the proposed rule had been in effect, none of these bills could have been considered until the House first approved a budget resolution with an expenditure ceiling provided in it for each bill. The House would have faced up to the vexing, but vital question of red ink before spending tax dollars.

The rule change is proposed out of conviction that the present system of raising and spending Federal revenue is gravely inadequate, and that it contributes substantially to inflationary pressure. The adverse impact of Federal deficits of \$50 billion for the past 2 years is obvious.

I include the following:

RESOLUTION TO AMEND RULES OF HOUSE OF REPRESENTATIVES TO REQUIRE HOUSE-AUTHORIZED FEDERAL BUDGET

1. The Committee on Appropriations and the Committee on Ways and Means of the House of Representatives are authorized and directed to meet jointly at the beginning of each regular session of Congress and after due study and review, including consideration of the annual budget message of the President, report to the House a resolution containing a House-Authorized Federal Budget for the ensuing fiscal year not later than 90 days after the President's message has been received.

The proposed budget shall include:

1. Estimated overall Federal receipts from all sources;
2. The maximum aggregate amount to be granted in obligatory authority for all pur-

poses, together with a maximum amount for each appropriation bill or resolution;

3. Specific recommendations as to adjustment in revenue measures and/or public debt level necessitated by a deficit or surplus, if such is shown by budget figures on aggregate expenditures and receipts.

When the Committees on Appropriations and Ways and Means have jointly reported the House resolution adopting such budget, it shall be in order, after the report on the resolution has been available to the Members of the House for at least three calendar days (excluding Saturdays, Sundays, and legal holidays), for the Chairman of the Committee on Appropriations to move to proceed to the consideration of such resolution in the Committee of the Whole House on the State of the Union (even though a previous motion to the same effect has been disagreed to). Such motion shall be highly privileged and shall not be debatable. No amendment to such motion shall be in order and it shall not be in order to move to reconsider the vote.

After general debate on the resolution, which shall be limited to not to exceed 10 hours, one-half of such time to be equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations, and one-half of such time to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the resolution shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the resolution for amendment, the Committee of the Whole shall rise and report the resolution back to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the resolution and amendments thereto to adoption without intervening motion except one motion to recommit.

2. No bill or resolution carrying appropriations for the ensuing fiscal year shall be in order for consideration by the House until the House-Authorized Federal Budget for such year has been approved.

The report on each such bill or resolution must include a statement in one of the following forms: "The provisions of this bill (or resolution) conform to the requirements of the House-Authorized Federal Budget for fiscal 19— and will not cause it to be unbalanced in any respect. The bill (or resolution) as reported will appropriate \$—, and when this amount is deducted from \$—, the maximum amount for this appropriation bill (or resolution) under the House-Authorized Federal Budget for fiscal 19—, the remaining balance is \$—." or "The provisions of this bill (or resolution) do not conform to the requirements of the House-Authorized Federal Budget for fiscal 19—. The bill (or resolution) as reported will appropriate \$—, and when this amount is deducted from \$—, the maximum amount for this appropriation bill (or resolution) under the House-Authorized Federal Budget for fiscal 19—, a deficit results in the amount of \$—."

Any bill or resolution carrying appropriations whose report fails to include a statement in the first form, or which, in its amended form, fails to comply with the requirement as stated in the first form, shall require the approval of two-thirds of those Members present and voting, a quorum being present. This requirement shall not be waived or suspended.

3. The joint statement of managers to accompany a report made by a committee of conference on a bill or resolution carrying appropriations shall include a statement in one of the following forms: "The provisions of this conference report conform to the requirements of the House-Approved Federal

Budget for fiscal 19— and will not cause it to be unbalanced in any respect."—or—"The provisions of this conference report do not conform to the requirements of the House-Authorized Federal Budget for fiscal 19—."

A conference report on a bill or resolution carrying appropriations which fails to include a statement in the first form shall require the approval of two-thirds of those Members present and voting, a quorum being present. Motions to dispose of amendments remaining in disagreement following adoption of a conference report on a bill or resolution carrying appropriations shall require the approval of two-thirds of those Members present and voting, a quorum being present, if the effect of the adoption of such motion would be to appropriate an amount in excess of that contained in the House-Authorized Federal Budget for such year.

The requirements of this rule shall not be waived or suspended.

QUESTIONS AND ANSWERS: RULE REQUIRING HOUSE APPROVAL OF RESOLUTION OF FEDERAL BUDGET

Q. What will the rule do?

A. It will require approval of a resolution containing a comprehensive budget for the Federal government before the House can consider any appropriation bills for the ensuing fiscal year. It will also require a two-thirds vote to approve the appropriation of money in excess of that provided in the comprehensive budget.

Q. Wouldn't this requirement be just one more delay in an appropriation process that is already too slow moving?

A. To the contrary, it would help streamline procedures. Each Subcommittee of Appropriations would know that not later than 90 days after the President's fiscal messages have been delivered to Capitol Hill, it will be required to help draft the resolution on the House-approved federal budget. This requirement would be new incentive to press forward and make the hearings as complete as possible by the time the deadline arrives. Because of the two-thirds vote requirement on "overruns," subcommittee will be unlikely to spend much time dealing with requests for such. Most appropriation bills will be virtually ready for reporting to the House by May. In turn, the deadline will exert pressure on the authorizing committees to complete their work.

Q. Will the rule produce balanced budgets?

A. It will certainly help. The budget resolution will bring together for approval at one time expenditure totals and revenue forecasts. If the requests are out of balance, Members voting yes will be voting for an unbalanced budget. Because this is an unappealing posture, most will be inclined to vote to keep expenditure in line with revenue—or at least to make the best possible legislative record in that direction. If the figures show a balance of revenue and expenditure, those voting yes will be voting for a balanced budget.

Q. How will the rule affect tax levels?

A. If the budget shows expenditure in excess of revenue, it will also provide that the difference be made up by more revenue, higher level of public debt, or a combination of the two. If it calls for \$3 billion more in revenue, for example, approval of the resolution with this item in it would have the effect of directing Ways and Means Committee to come forth with measures providing the extra revenue.

Q. How will the rule affect the ceiling on public debt?

A. In line with the answer just above, if the resolution calls for meeting a budget deficit by a \$3 billion increase in public debt, that would effectively settle the question of an increase in the debt ceiling at a later date. The amount of increase, of course, would be determined by how close the sub-

sequent Congressional appropriations match the provisions of the budget resolution, and the accuracy of revenue forecasts.

Q. At what point would the proposal involve the Senate?

A. At no point would the involvement be direct. Indirectly, the effect would be substantial. Once the House approves the resolution on the budget, it could consider appropriation bills. But not until then. Once approved by the House (by majority vote, or two-thirds, as circumstances may require), the appropriation bills would go through customary channels. If the Senate should approve a bill providing more money than authorized in the House budget resolution, the conference report could be accepted by the House only if two-thirds of those present and voting approve.

Q. What is the purpose of the proposed rule?

A. To cause the House to make basic decisions on expenditures and revenues for the ensuing fiscal year, and what to do about the difference between the two items, before it begins to appropriate money. Under present procedures, the House never at any time approves a budget for the federal government, even in the most general, tentative terms. It receives the President's budget message; subcommittees of the Appropriations Committee begin to hold hearings; eventually, based on these hearings, the House begins to appropriate money piecemeal. Only once in recent years—1969—did the House establish even an aggregate expenditure ceiling. It deals with the question of public debt at the wrong end of the process—after the money has been appropriated and obligated—not before. It deals with the relationship of revenue to expenditure only on those infrequent occasions when the Ways and Means Committee brings forward a bill dealing with general taxation.

Q. In House rules from 1947 to 1970 was the requirement that the Congress approve a budget for the federal government. It didn't work. Does this plan have better prospect of success?

A. Yes, because the differences are substantial. The old rule had a vital shortcoming. It had no teeth. Failure to adopt the "legislative budget" resolution, as provided in the rule, did not stop the appropriation process. The new proposal provides that appropriation bills are not in order until the budget resolution has been adopted. The old rule on the "legislative budget" had no such requirement. The old rule produced a legislative budget resolution only once—in 1947, and on two subsequent years became hopelessly mired in Senate-House conference. After 1949 no serious effort to pass a "legislative" budget was undertaken. The new proposal deals only with House procedures.

Q. Would it not be better to include the Senate in the rule?

A. The Senate, of course, can adopt exactly the same discipline, a new discipline or no discipline. The House need not wait for Senate concurrence. Both the House and Senate have their separate responsibilities, so either body can justify special measures of self-discipline.

Q. Give an illustrative chronology showing how things might move along under the proposal.

A. January 20. The President submits his budget, which includes details for each appropriation bill category. It also includes revenue forecasts.

February 1. Each appropriation subcommittee theoretically can begin hearings. Each will have nearly three months in which to examine witnesses and requests, before participating jointly with other Appropriations Committee members and Ways and Means Committee members in reporting the resolution on the federal budget. Meanwhile the Ways and Means Committee can examine revenue aspects of the budget message, to-

gether with the content of the President's economic message (submitted each year on January 20). It can draw upon information and views gathered by the Joint Economic Committee. This will give the committee more than two months to weigh alternatives on taxation and debt for the ensuing fiscal year before meeting with the Appropriations Committee.

April 1. Senior members of Appropriations and Ways and Means Committees will meet for discussion of a draft resolution on the federal budget.

April 15. Committees on Appropriations and Ways and Means will meet formally to mark up and report the resolution.

April 20. House will act on resolution. Debate time of ten hours divided four ways—one-fourth to each chairman and ranking minority member of each committee.

The resolution to be open to amendment under five-minute rule. If House fails to approve resolution, a new resolution will be developed and reported by the same committees, acting jointly, until a resolution is passed.

The resolution, being privileged, will not require Rules Committee action. The resolution will be handled on the floor by the Appropriations Committee chairman and ranking minority.

May 1. Appropriation bills will be considered. Usual procedures will be followed except for the requirement of approval by two-thirds vote if the bill exceeds the expenditure ceiling set for it in the budget resolution. Likewise, a conference report in excess of the budget resolution will require approval by two-thirds vote.

Mr. Speaker, the new fiscal year is only 2 weeks off.

Federal business is the biggest in the world. Expenditures for the coming business year are estimated at \$250 billion, with revenue estimated at \$223 billion. The President's forecast shows a deficit of \$27 billion. We are finishing a business year with a deficit of about \$26 billion. All of this is probably familiar information to you.

What is ironic is that the management of this business by the U.S. Congress is unquestionably the worst of any major business operation. Private business firms could not survive under the sloppy procedures the Congress follows. Let me illustrate.

The fiscal year will begin with only a small portion of the money required actually voted on by the Congress. Long after the business year has begun, the Congress will still be debating appropriation bills. The departments and agencies of Government will operate under what are called continuing resolutions, which permit expenditures at the rate of the previous year until such time as the Congress actually appropriates new money.

The business year was half gone last winter when several appropriations bills finally made the route. And one bill, the one dealing with foreign aid, was not approved until March 8 of this year. By then the business year for which the money was provided was 75 percent gone. Only 3 of the 12 months remained.

This meant the departments and agencies could not efficiently plan their work. The funding of new programs could not occur. When they finally get their money late in the year, tendency is to spend it fast before the new year starts. That leads to greater waste.

But this is not the worst of it. Never at any time during the business year does the Congress approve a comprehensive budget for the Federal Government. The President sent a budget message, of course, as he always does the first of each calendar year. The Joint Economic Committee held brief hearings on the budget, as it always does. But the committee never made a decision on the budget. Nor did any other committee or subcommittee of the Congress. Nor did the House. Nor did the Senate.

One would have thought that receipt of the President's budget recommendations would set in motion a procedure leading promptly to a legislative decision on the budget—how much, in light of the revenue forecast, the Government should spend and what should be done about the shortage of revenues and excess of expenditures.

But no. That would be too businesslike. Congress does not operate that way.

Instead, in its own leisurely way the Congress puts out of mind the vexing question of a comprehensive budget and begins piecemeal to appropriate money based on the President's requests—never facing the whole fiscal picture, never deciding how much extra debt the budget might require—how much extra revenue should be raised.

The only time the Congress even takes a furtive peek at the Federal fiscal posture is at the wrong end of the year—and then half blindfolded.

That occurs when public law forces the Congress to raise the statutory limit on the Federal debt. At least once a year, after the money has been appropriated—not before—we vote an increase in the public debt ceiling. By then the Government has traversed the business-year tunnel. The obligations are made. The Treasury checks are written. To refuse to increase the debt limit under these circumstances would be the height of irresponsibility. This would cause a plunge in the Government bond market. It would cause panic in the international monetary exchanges. Confidence in the dollar would take a disastrous nosedive.

Confronted with these grim certainties the Congress on March 15 increased the ceiling on the public debt by \$20 billion, bringing the new ceiling to \$450 billion. And this was less than half of the amount requested by the President. In a short time Congress will again be called upon to raise the debt limit, probably by about \$30 billion more.

The other day in a public discussion I was challenged by a college professor who said:

Public debt is nothing to worry about. After all, we owe this debt to ourselves, don't we?

When I was first elected to Congress in 1960, the annual interest cost of the public debt, that is, the Federal debt, was \$9 billion—which figured out about \$200 a year for each American family.

This year the interest cost of the Federal debt is not \$9 billion, but \$19 billion—more than twice as high as a decade ago—and still climbing. The interest

cost averages out to \$380 a year for each American family—more than a dollar a day for just interest cost.

This year the Federal debt goes up another \$26 billion. This adds another \$13 million to the annual interest cost. Next year the debt increase estimated by the White House is \$27 billion, adding more than \$13 million annually to the interest cost. Every dollar must come out of someone's pocket in the form of increased taxes.

But will next year's deficit be \$27 billion? The probability is that it will be much more—billions more.

The purpose of the proposed rule change is to deal more effectively with problems caused by large recurring deficits.

PROHIBITING THE GSA GRANTEE PROGRAM

The SPEAKER. Under a previous order of the House, the gentleman from New Hampshire (Mr. WYMAN) is recognized for 30 minutes.

Mr. WYMAN. Mr. Speaker, in recent years there has developed in our Nation a growing concern among small businessmen that the Federal Government is threatening many small firms with direct and indirect competition.

This feeling has been stimulated largely by efforts of a few persons within the General Services Administration who apparently believe the Federal Government has a right to take over a market which is today served almost entirely by small business.

The first evidence of this came to the surface in 1969 when GSA proposed to use the newly enacted Intergovernmental Cooperation Act of 1968 as a basis for extending its services to all State and local governments. This apparently was the first time GSA openly extended its services beyond the confines of the Federal agencies and bureaus it was designed to serve.

Recognizing that, using taxpayers dollars, GSA would have an unfair advantage over small firms, the Nixon administration wisely and swiftly ordered GSA to scrap its plans. On November 10, 1969, Senator KARL MUNDT, of South Dakota, commented on this action by stating:

It has been my privilege for a number of years to serve as the ranking minority member of that committee. At no time during our deliberations on the Intergovernmental Cooperation Act did anyone suggest or contemplate that any Federal agency would go into the purchasing business or into the supply business for State or local governmental bodies.

And I am pleased to say that the White House moved promptly and decisively when it was alerted to the content and significance of the proposal being advanced within the executive branch. Clearly, neither the Intergovernmental Cooperation Act nor good public policy would countenance such an attempt to put the massive purchasing capacity of the Federal Government into competition with the many thousands of separate business enterprises now serving the myriad State and local government supply requirements all across the Nation.

Nothing could have been further from the intent of Congress in the Intergovernmental Cooperation Act of 1968 . . .

I point out, too, that my own view of the intent of the law and my concern about the undesirable impact of such Federal competition with private business were shared by many other Members of the Senate, and in the other body as well. The distinguished chairman of the Committee on Government Operations (Mr. McClellan) registered the same objections I did.

I am sure they and many other Members of both Houses breathed the same sigh of relief I did August 7 when we learned that the intent of Congress was being adhered to and that the GSA purchasing proposal had been stopped.

Mr. President, in order to help avert the possibility of this proposal popping up again, I feel it important that my report on this matter should be made a part of this debate and of the permanent record of the Senate.

It would seem that GSA might have read the handwriting on the wall: That the Nixon administration had no intention of destroying thousands of small firms and that GSA's job was to reserve its services exclusively for the giant Federal system.

Undaunted, GSA decided to recreate the same program under the assumed authority of the Federal Property and Administrative Services Act of 1949, as amended. While that act specifically states:

[Title II, Sec. 201(a)]—The Administrator shall, in respect of executive agencies, and to the extent that he determines that so doing is advantageous to the Government in terms of economy, efficiency, or service, and with due regard to the program and activities of the agencies concerned—

(3) procure and supply personal property services for the use of executive agencies in the proper discharge of their responsibilities and perform functions related to procurement and supply such as those mentioned above . . .

It also says:

[Title II, Sec. 205(c)]—The Administrator shall prescribe such regulations as he deems necessary to effectuate his functions under this Act . . .

Using the latter quote, GSA claims the authority for servicing any recipient of Federal funds even though the funds involved may be only a tiny portion of the recipient's income.

Now, Mr. Speaker, I am pleased to report that this program has been called to the attention of the White House and Frank Carlucci, a fine public servant, on examining the facts, issued on May 16, 1972, a letter to GSA stating:

The above authorizations are not consistent with the purpose of the Administration's policy of reliance on the private enterprise system and is particularly objectionable in this sense because the burden of GSA competition falls more heavily on small businesses throughout the country. To the extent that grantees are components of State or local governments, the authorizations are also not consistent with the intent of Congress as expressed in the Intergovernmental Cooperation Act and implementing regulations (Circular A-97) of OMB.

It is our conclusion, in view of the above, that GSA should discontinue all authorizations and practices which now permit the use of Federal sources of supply or services by Federal grantees.

I am requesting, therefore, that immediate steps be taken to propose an amendment to GSA regulations that would rescind all authorizations of GSA under which Federal grantees are permitted to use Federal sources

of supply. The proposed regulation should, of course, be made available under OMB Circular No. A-85 for comment by State and local governments prior to issuance.

Upon issuance of the amendment, action should be taken to notify the agencies of the determination and request that they immediately advise their grantees that access to Federal sources, i.e., depots, stores, warehouses, contracts, excess personal property, or other such sources is no longer authorized. Appropriate action consistent with the above should also be taken with respect to existing arrangements and unfilled requisitions.

In my opinion, Mr. Carlucci is correct in his assessment and I am pleased to report that GSA has already begun the process by which it may withdraw the program.

Such withdrawal would be welcome news through the small business community. However, these same small businessmen must be assured that this program, today called the grantee program, will not resurrect itself in some new form at a future date. Therefore, I am today introducing legislation to place a permanent prohibition on this type of program which fosters Government competition with small business.

Mr. Speaker, I would like to cite the Small Business Act of 1953 (15 U.S.C. par. 631, 1964):

It is the declared policy of the Congress that the government should aid, counsel, assist and protect, insofar as possible, the interests of small business concerns in order to preserve free competitive enterprise. . . .

In my opinion this legislation is consistent with congressional intent relative to the General Services Administration and is consistent with the firm policy of this administration which is to preserve the American system of free enterprise, with a secure and proper place for the small businessman who pays taxes, employs local citizens, and makes outstanding contributions to his community.

The text of my bill and an explanatory memorandum are as follows:

H.R. 15562

A bill to amend the Federal Property and Administrative Services Act of 1949 to prohibit the making available of Government procurement sources to Federal grantees and contractors

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 201 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 481), is amended by adding at the end thereof the following new subsection:

"(f) Except as otherwise specifically provided by law, the Administrator shall not either directly or indirectly make available to any grantee, subgrantee, contractor, or subcontractor to any executive agency any supply or service source which is made available to him by law or other authority or which is under his control. Nothing in this subsection shall be construed to prohibit the disposal of excess or surplus property in accordance with section 202 or 203 of this Act."

EXPLANATORY MEMORANDUM CONCERNING THE PROPOSED AMENDMENT TO THE FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

The purpose of the Federal Property and Administrative Services Act of 1949, (hereinafter "the Act") is to simplify the procure-

ment, utilization and disposal of government property, to reorganize certain agencies of government, and for other purposes. The Act seeks to effect maximum efficiency, economy and service in the utilization and procurement of property for agencies in the *executive branch* of the federal government by centering responsibility therefor in the General Services Administration (hereinafter "GSA") which this Act established. The Act further provides that the General Services Administrator (hereinafter "the Administrator") shall, as far as practical upon the request of any agency in the legislative or judicial branch of the government, or of any mixed-ownership government corporations, or of the District of Columbia, purchase, warehouse and distribute personal property and non-personal services to meet their needs. One of the stated policies of the Act is the protection of small-business concerns.

Without Congressional authorization, GSA has extended the coverage of the Act to include purchases of personal property and non-personal services by and for grantees, subgrantees, contractors and subcontractors of federal agencies (hereinafter referred to as "grantees" or "grantees of federal agencies"). GSA has issued a Bulletin, FPMR A-17, November 7, 1967, and Regulations, 41 C.F.R. Part 101-26, April 17, 1971, and 41 C.F.R. Part 101-33, December 23, 1971, which, in summary, authorize other government agencies to, in turn, authorize grantees of such agencies to purchase from GSA inventories or order directly from manufacturers that are supply contractors to GSA, supplies and equipment at the prices and on other terms and conditions contained in the supply contracts between GSA and the manufacturers.

This unauthorized extension of the Act has already injured thousands of small-business concerns, middlemen in the chain of distribution, across the Nation, and threatens to eliminate them entirely from a huge market to which they heretofore had access, thereby threatening the very existence of the free enterprise system which is the mainstay of the Nation's economy.

As of May 1, 1972, more than 30 federal agencies, relying on the GSA Regulations for authorization, have issued more than 9,000 letters of authorization authorizing their respective grantees to purchase personal property and non-personal services directly from GSA supply or service sources and facilities. In the letters of authorization, generally, the agencies have declined responsibility for any debts incurred by the grantee to GSA, and have imposed no monetary limitations and no requirement that title to the property purchased vest in the government.

Grantees have purchased substantial amounts of property and services since the program went into effect. In the period July, 1971, through March, 1972, purchases by and for grantees from GSA stores and inventories alone amounted to \$6,126,979.00. This figure does not include direct purchases by grantees from suppliers in the private sector, under the suppliers' contracts with GSA, because, apparently, neither GSA nor the grantor agency police such purchases and no figures are available. GSA has advised grantees to report to GSA any failure or refusal by suppliers in the private sector to sell goods or services to the grantee under the contracts between the supplier and GSA. In a well-documented example from a Southern State, a manufacturer declined to sell certain items to a grantee under the manufacturer's contract with GSA on the ground that Title 41 C.F.R. Part 101-26 was permissive and not mandatory as to it. GSA then purchased the items for dropshipment to the grantee under its contract with the manufacturer.

It is the purpose and intent of the proposed amendment to prohibit this threat,

and similar threats, to small-business concerns whom the Act expressly seeks to protect. The proposed amendment merely states explicitly that which is already contained in the Act, namely, that GSA and its Administrator are not authorized to make available to any grantee, subgrantee, contractor or subcontractor of any federal agency any supply or service source or facility which is made available to GSA or its Administrator by law or other authority or which is under the control of GSA or its Administrator. Supply or service source or facility includes, but is not limited to, GSA selfservice stores; Federal Supply Schedules, D.S.A.; Federal Prison Industries, Inc.; Workshops for the Blind and Severely Handicapped; Supplier-contractors to GSA; and other programs of the Federal Supply Service, such as providing automatic data-processing equipment, supplies and services.

Procurement functions by federal agencies for grantees, subgrantees, contractors and subcontractors of such agencies may be authorized by Congress alone, and may be performed by GSA and its Administrator only where such procurement functions are transferred to GSA in accordance with Section 107(b) of the Act. [5 U.S.C. § 630e(b)].

HIGHER EDUCATION BILL IS NOT THE ANSWER

The SPEAKER. Under a previous order of the House, the gentleman from Alabama (Mr. EDWARDS) is recognized for 5 minutes.

Mr. EDWARDS of Alabama. Mr. Speaker, what appears on the surface to be an impressive education bill passed by the House recently is, in reality, a deceptive bundle of what will amount to unkept promises. It is, in short, a wolf in sheepskin.

Although the House-Senate conference report on the higher education bill passed the House by a vote of 218 to 180 and earlier passed the Senate, I voted against the measure. I had previously voted for the bill when it passed the House earlier, but it just was not the same bill when it returned from the House-Senate conference committee.

My opposition is based primarily on the formula determined by the conference committee which says the amount of Federal aid an institution of higher learning will receive will be determined by the number of federally subsidized underprivileged students the institution has enrolled.

I believe this is wrong and it is not educationally sound. First, the formula for institutional aid almost demands that financially troubled colleges and universities seeking Federal assistance will have to rush out and take in as many underprivileged students as they can, regardless of the student's qualifications or desire to achieve a college education.

There is no consideration in the bill's distribution formula for the amount of institutional aid to be based on an institution's need. Therefore, I believe the bill offers very little help to the small and private colleges—the group that seems to be having the greatest percentage of financial difficulties. There was considerable help for them in the original bill but it was virtually wiped out in conference.

Second, I opposed the final bill because

a portion of it is based on the assumption that all students are entitled—not eligible but entitled—to receive \$1,400 a year, minus any family contribution toward their education expenses. Aside from the fact that this cannot be justified, the truth is that we just do not have the money to send every student to college.

I think any student financial aid supplied by the Federal Government should depend on the academic achievement, the motivation of the student, plus need. In present Government programs, such as the work-study program and national defense loans, the Federal Government has never gone by the theory that every student is entitled to financial assistance. On the contrary, the student has had to show motivation and a desire, in addition to need.

This is also bad because every high school student does not need to attend college. There is an equally needed place in our society for those who are interested in technical subjects and those who possess labor skills. I do not believe that we can best serve the individuals or the Nation by following a policy that has as its purpose to try to persuade colleges to take students who are unprepared for college.

Third, the bill approved by the House appears on the surface to be against busing, but, in reality, it is just the opposite. The bill encourages the Commissioner of Education to push for what is termed the Metro School District approach. That is, students from adjoining counties can be bused across county lines to achieve integration goals. Earlier attempts by the House to enforce strong antibusing measures were rendered meaningless by the House-Senate conference. The bill allows the South to remain hooked by previous court orders while the North has been let off the hook. This is not fair.

There is an important point to all of this that should be stressed. This supposedly great-sounding Federal money program most likely will never be fully funded, because we simply do not have the money. I do not believe the promises can be fulfilled.

Many leading educators in Alabama and in other parts of the country have expressed concern over the bill's passage. I share their concern. I stand ready to support public and private higher education and students, and I had hoped that Congress would find a more reasonable solution to help them. I hope I am wrong but I am afraid the higher education bill is not the answer.

FEDERAL SURVIVOR ANNUITY BENEFITS

The SPEAKER. Under a previous order of the House, the gentleman from Maryland (Mr. HOGAN) is recognized for 5 minutes.

Mr. HOGAN. Mr. Speaker, today I am introducing legislation (H.R. 15564) to correct an inequity which presently exists as regards Federal survivor annuity benefits.

Under present law, a "widow" or

"widower" of a Federal employee or member is eligible for survivor annuity benefits only if the marriage lasted at least 2 years immediately before death or the surviving spouse is the parent of issue of the marriage.

The question of inequity arises because under the law, section 8341 of title 5, United States Code, as interpreted by the Civil Service Commission, a child who is adopted by a couple during their marriage is not "issue by such marriage" so as to qualify the widow or widower for survivor annuity purposes. Thus, where children are adopted, the employee's surviving spouse must have been married to the employee for at least the 2 years immediately before his death in order to qualify for a survivor annuity.

This legislation will correct that situation.

Mr. Speaker, it is not uncommon for parents to have legally adopted children and, therefore, the law regarding survivor annuity benefits should reflect this reality. No surviving spouse of a Federal employee should be deprived these earned and needed benefits, because his or her child is not a natural born child of the marriage.

DD-963 DESTROYER

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin (Mr. ASPIN) is recognized for 5 minutes.

Mr. ASPIN. Mr. Speaker, Litton Industries and the Navy are engaging in a public relations stunt by beginning work 6 months early on the DD-963 destroyer. This stunt will only create more delays and cost overruns on five LHA amphibious assault ships that Litton is also building for the Navy.

It is common knowledge both inside and outside the Navy that Litton is concentrating on building the DD-963 while, in effect, creating more serious problems on the LHA. On June 6, Litton began cutting metal for the DD-963 destroyer, diverting workers from the LHA project which is only 2 percent complete.

I believe that the Navy should force Litton to concentrate on solving problems on the LHA program. The Navy should decide whether or not to cancel the DD-963 destroyer program on the basis of Litton's ability to shorten delays and cut costs on the LHA as well as making a decent start on the DD-963 program. Exactly the opposite is occurring right now. The Navy and Litton are taking the attitude that the LHA is a lost cause so why not let it completely go to the dogs. Instead, Litton and the Navy should be attempting to affect cost cuts and shorten delays on the LHA program.

As many of my colleagues know, the House Armed Services Committee voted to cut the \$612 million authorization for the seven DD-963 destroyers to \$247 million—only enough to buy so-called long lead items such as engines, radars, and certain electronic gear.

Sixteen of the 30 DD-963's have been funded thus far and the decision will be made later whether to proceed with the rest of the program.

Mr. Speaker, the Navy and Litton have made a conscious decision to sweep the LHA prices under the rug hoping the Congress and the American people will forget about the hundreds of millions of dollars of cost overruns and huge delay on the five LHA ships. By stretching out the LHA program, the Navy and Litton are only increasing costs and delays while, at the same time, hoping that an early start on the DD-963 will have the appearances of the successful beginning.

As many of my colleagues may know, shipbuilding costs always increase when the time needed to complete a project is increased. In fact, the number of man-hours needed to build the LHA is now double the original estimate.

According to the original contract, five LHA's should cost approximately \$600 million which includes the cost of cancellation of four ships that were included in the original nine-ship contract. But now Litton Industries is demanding approximately \$1.2 billion for five ships representing cost overruns of \$600 million.

Mr. Speaker, the Navy and Litton are making a serious mistake. In the long run, the LHA program will cost more and more and delays will increase. As a result, the DD-963 program will also be affected and we may be saddled with the C-5A of shipbuilding. It is my hope that Litton will stop engaging in public-relations stunts and start concentrating on building all 35 ships for which it has Government contract as quickly and as cheaply as possible.

NEWSLETTER

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. KOCH) is recognized for 10 minutes.

Mr. KOCH. Mr. Speaker, I soon will be mailing to my constituents my June newsletter. This report discusses a number of issues I have worked on in the Congress and my district in recent months; it also includes the tabulated results of my May questionnaire. I should like to submit for printing in the RECORD the full text of the report. It follows:

CONGRESSMAN EDWARD I. KOCH REPORTS FROM WASHINGTON

JUNE 1972.

DEAR CONSTITUENT AND FELLOW NEW YORKER: We are all aware that during the past year or so there has been a dramatic increase in crime and acts of violence in and around our City schools. In recent months many constituents have told me about incidents when their children have been extorted for money in the public schools and have been assaulted on their way to and from school.

Many middle class families have reacted to this fear by removing their children from the public schools and placing them in non-public schools at great financial cost. The poor do not have this option, and it is their children who therefore suffer the most.

In an effort to understand better the problems involved, this spring I visited a number of schools in our District. And, in May, I held a legislative hearing to take testimony from expert witnesses representing principals, teachers, parents and students. The hearing focused on immediate remedial measures

needed to deal with internal security, intruders, security around the schools, and burglaries. The four-hour hearing was held in an appropriate setting—the library at Wagner Junior High School.

I was impressed with the proposals to provide adequate legal counseling to principals and teachers as well as students; to use more security guards for keeping out intruders (parents are already doing this in some schools); to better utilize police manpower in school neighborhoods; and to involve student volunteers in security matters. All of these proposals should be considered and considered now. After listening to all the testimony, I am convinced more than ever that children who want to learn must be protected from the disruptive behavior of other students who, in turn need help, including special classes.

A transcript of the hearing is being sent to those groups already working on this problem throughout the District. I have introduced legislation which would amend the Elementary and Secondary Education Act of 1965 to provide monies to assist school districts to carry out security plans to reduce crime and increase the safety and security of children, employees and facilities.

I will continue to involve myself in this critical problem of school safety. There are many other things that must be done to improve our schools but without safety—education doesn't have a chance.

LIGHT ON CRIME

What the Police Department calls "crime against the person" means street crime to most of us—robberies and muggings. Last year this type of crime increased in New York City by 16%; further arousing the anger, frustration and fear of all New Yorkers. For many of us the streets have become corridors of fear after dark.

This past March I introduced legislation to establish a Federal Light On Crime Program. H.R. 14022 would authorize the expenditure of \$30 million in each of the next 3 years specifically for the purchase and installation of high-pressure sodium-type lights. The funds would come in grants made directly to local governments on a 75% Federal, 25% local share basis. This program involves relatively low costs for a potentially high return. High-pressure sodium lights are able to illuminate a city street far better than our traditional street lighting. In a sense they turn night into day, and their effectiveness as a deterrent against crimes is undeniable. For example, after installation of high intensity lighting in Washington, D.C. high-crime areas, crime decreased by 31%.

New York like other cities has installed high pressure sodium lights on some streets (you may have seen some in our District) but local governments cannot finance the type of massive lighting program which I believe we need for our city streets. An infusion of Federal funds such as I propose would mean that whole communities could be illuminated for the benefit of residents and merchants alike.

SEX DISCRIMINATION

The response to the questionnaire indicates that many women in the District have been discriminated against, particularly in employment, because of sex. Improvements have come slowly in the past few years but should be accelerated as the result of new guidelines issued April 5 by the U.S. Equal Employment Opportunity Commission.

Briefly, the major points of the new regulation are:

Individuals must be considered for employment on the basis of their capabilities, not on characteristics generally attributed to a particular sex.

State laws limiting the hiring of females in certain occupations are contrary to the Civil

Rights Act and thus cannot be used in defense of discrimination.

Physical facilities provided for one sex must be provided for another, and the absence of such facilities cannot be used as an excuse not to hire someone.

It is unlawful to classify a job as a "male" or "female" job or to maintain separate lines of promotion and seniority.

Restrictive rules applicable to married women, but not married men, are prohibited by the Civil Rights Act.

Advertisements for employment cannot indicate "a preference, limitation, specification or discrimination based on sex."

Private employment agencies cannot deal exclusively with one sex nor discriminate against applicants because of their sex.

It is unlawful for an employer to discriminate between men and women with regard to fringe benefits (i.e. medical and life insurance, retirement benefits, profit sharing, bonus plans, and leave).

Different optional or compulsory retirement ages based on sex are unlawful.

A written or unwritten employment practice which excludes women because of pregnancy is "in prima facie violation" of the Civil Rights Act.

Disabilities due to pregnancy related conditions must be treated as any other temporary health disability.

If you feel that you are being discriminated against in your employment because of your sex, race, color, national origin, or religion, I would be pleased to supply you with the necessary forms to file a complaint with the EEOC. The EEOC is authorized to investigate complaints against employers of 25 or more persons (including state and local governments), labor organizations and employment agencies. If the EEOC determines a complaint is justified, it will first seek voluntary compliance before instituting legal action in the courts.

Legislation helps thwart discrimination, but substantial changes will come only if people are willing to protest individual acts of discrimination and use the law to back their complaints.

MARIHUANA

On March 22nd the National Commission on Marihuana and Drug Abuse issued its report on marihuana. This event was of particular interest to me because in April 1969, shortly after I came to Congress, I introduced the original bill creating the Commission.

For a year the Commission's 13 Members conducted a comprehensive study of marihuana smoking in this country, examining the social, medical, and legal effects of its use. The report issued in March was balanced and thorough.

The Commission found that approximately 24 million Americans have tried marihuana at least once and that there are at least 8.3 million current users. The Commission did not find any evidence that experimental or intermittent use of marihuana causes physical or psychological harm. However, it indicated that it did not have sufficient information to appraise the long-term effects of marihuana on the individual and our society. Therefore, it recommended a "social policy seeking to discourage marihuana use" while proposing that all federal criminal penalties for the personal possession of marihuana and the casual transfer (at no profit) of marihuana in private be removed. Similar changes were recommended for state laws.

On April 20th I joined with Senators Jacob Javits and Harold Hughes, members of the Commission, in introducing a bill to implement the Commission's basic recommendations. The need for change in our marihuana laws is clear. The effects of marihuana smoking simply do not warrant the harsh penalties prescribed by present laws—both state and

federal. It serves no purpose, and is indeed barbaric, to send young people to jail for their possession of a single marihuana cigarette and saddle them with criminal records for the rest of their lives.

QUESTIONNAIRE RESULTS

The response to the May questionnaire was excellent. Approximately 15,000 questionnaires were returned with some 20,000 people indicating their positions on the issues polled. The tabulated results in percentages are as follows:

	Percent
1. Do you favor increasing the minimum wage to \$2.00 an hour and extending its coverage to all workers, including employees in small retail shops, farm workers, and domestics?	
Yes	76
No	24
2. Do you favor a federal "value added tax" (a national sales tax) as a means of financing elementary and secondary education, instead of local revenue sources like the property tax?	
Yes	38
No	62
3. Do you believe the government should provide 200,000 more public service jobs (currently the Emergency Employment Act of 1971 is providing 140,000 such jobs at a cost of \$1 billion)?	
Yes	59
No	41
4. Would you favor the government's guaranteeing a job to everyone seeking work and being an employer of "last resort" when jobs are not available from private enterprise?	
Yes	63
No	37
5. Assuming that it is Constitutional, would you favor a system of federal tax credits for parents with children in non-public schools?	
Yes	41
No	59
6. Do you favor a Constitutional Amendment or legislative measure prohibiting the use of busing by courts or localities to desegregate public schools?	
Yes	38
No	62
7. Would you favor the establishment of bilingual programs in all of the City's public schools having a substantial number of Spanish speaking student?	
Yes	60
No	40
8. Would you favor setting aside lanes on some major avenues in New York City for use by bicycles?	
Yes	79
No	21
9. a. Do you now ride a bike to work?	
b. Would you ride a bike to work in good weather if exclusive bike lanes and parking facilities were provided?	
a.	
Yes	7
No	93
b.	
Yes	49
No	51
10. Would you favor the operation of heroin maintenance pilot projects on a limited and temporary basis in order to determine the feasibility of establishing	

heroin maintenance programs for adult addicts?

Yes 73
No 27

11. Do you believe the Civil Rights Act's protections (in employment, housing, etc.) should be extended to homosexuals?

Yes 83
No 17

12. Do you believe in the concept of "scatter site" housing—i.e. building government subsidized low income housing in middle income areas?

Yes 56
No 44

The overwhelming consensus on the question of Vietnam was that our troops should be withdrawn immediately; 49% favored the immediate withdrawal of U.S. combat forces and cessation of air support and weapons supply; 25% favored immediate withdrawal of troops and air support, but the continued furnishing of weapons. And 7% favored withdrawal but continued air and weapons support.

16% of the respondents favored the President's policies of "Vietnamization" aided by U.S. air support, and 3% recommended stepping up our military activities with the objective of a military victory.

The following are five bills I have authored that touch upon issues of current interest. Do you approve?

H.R. 850, as amended, establishing a uniform tax rate so that individuals, regardless of whether they are married or single, would pay the same graduated tax on their taxable income (after deductions).

Percent
Yes 88
No 12

H.R. 854, as amended, requiring federal agencies to inform persons of files maintained on them and allow them to inspect their files for errors; the bill also establishes a board to which one could appeal for the removal of erroneous and irrelevant material.

Yes 94
No 6

H.R. 12417 offering draft resisters conditional amnesty—amnesty in return for two years of civilian service comparable to that now required of conscientious objectors.

Yes 79
No 21

H.R. 13362 providing \$400 million annually in federal assistance in meeting the expenses of operating public transportation (subways, buses, and commuter railroads).

Yes 89
No 11

H.R. 14549 decriminalizing the personal use and possession of marihuana and allowing the transfer (at no profit) of reasonable amounts of marihuana when incident to private use. The sale of marihuana for profit and smoking it in public would continue to be subject to criminal penalties.

Yes 70
No 30

VOLUNTEER WORK

Lately more and more New Yorkers have expressed an eagerness to get involved and help improve conditions in New York City. I know, as they do, that government is not and should not be the only source of help to those in need. Often people have the

desire to help their fellow New Yorkers, but they are uncertain about the kind of work they want to do, and where to go to volunteer.

I have listed a few organizations and agencies which either have extensive volunteer programs and can use more help, or which coordinate volunteer activities. This list is by no means complete—there are hundreds of outstanding agencies which welcome volunteers—but I hope it will serve as a starting point for those who want to help.

American Red Cross—150 Amsterdam Avenue, 787-1000 (Ext. 421).

Work on nonmedical aspects of blood programs (blood mobile); volunteer drivers for Red Cross vehicles; clerical; social service type work.

The Association of Community Service Centers—(Mobilization for Youth) 152 Avenue D, 533-2410 (Ext. 7 or 8) Ms. Sylvia Castaneda.

Volunteers (bi-lingual English/Spanish) to teach classes to the aged during the daytime; tutoring (bi-lingual); volunteer lawyers (need not be bi-lingual) to give advice on housing, welfare, etc.

Community Service Society of New York—105 East 22nd Street, 254-8900, Mrs. Madeleine Woodward, Director of Volunteer Programs.

Work with the aged; Corrections; Thrift Shop. CSS will refer volunteers to other agencies as well. Minimum service: 3 hours a week.

Federation of Jewish Philanthropies—130 East 59th Street, PL 1-1000 (Ext. 209) Mrs. Henry Pearce, Chairman of Volunteers.

Refers volunteers to member agencies; clerical; teaching crafts; library; Thrift Shop; aged; youth; tutoring; physical education; Family Court Program.

Federation of Protestant Welfare Agencies—281 Park Avenue South, 777-4800, Ms. Rita Lambek, Director, Volunteer Bureau or Miss Janet Shair, Consultant on Volunteer Service.

Recruits and refers volunteers to its 285 member agencies and to other nonaffiliated agencies. Work with children, the aged, blind; tutoring; teaching English; drug programs.

Ladies of Charity of the Catholic Charities of the Archdiocese of New York—122 East 22nd Street, OR 7-5000, Ms. Marie Ryan, Director of Volunteers (Ext. 417, 418) Tuesday and Thursday.

Need friendly visitors to elderly in their apartments, hotels and nursing homes; escort service to hospitals, clinics, doctors' offices; recreation programs in nursing homes; child care and day care; visitors to prisons; Thrift Shop; tutoring; USO.

League of Women Voters—131 East 23rd Street, 677-5050, Ms. Myrna Baron, Director of Voter Service.

Work on Telephone Information Service which operates from 10 a.m. to 4 p.m. 5 days a week answering callers' questions; voter registration drives; speakers (before community groups). No minimum time, but regular schedule.

Mayor's Office of Volunteers—250 Broadway, Room 1407, 566-5950, Ms. Patricia Richter, Executive Director; Ms. Winifred Brown, Administrative Director.

Central clearing house to recruit and place citizen volunteers in City and private agencies.

National Council of Jewish Women—9 East 69th Street, LE 5-5900, Ms. Edna Elgen, Director, Community and Volunteer Services.

Work with the aged; the young; tutoring; Thrift Shop; Bookmobile; Boutique. Minimum service: one-half day a week.

United Hospital Fund—3 East 54th Street, PL 4-1080, Ms. Judith Bartow, Staff Associate, Volunteer Service.

Refers volunteers to member voluntary hospitals and to the 16 hospitals which are

under the City's Health and Hospitals Corporation. Minimum service: 3-4 hours weekdays or 2-3 hours evenings and weekends.

Volunteers may also call the hospital nearest them and speak with the Director of Volunteers (almost every hospital has one).

Your comments on this newsletter and any proposals you might have on any subject are of interest to me. Please write me c/o House of Representatives, Washington, D.C. 20515.

If you need assistance, call my New York City office at 26 Federal Plaza on 264-1066 between 9:00 a.m. and 5:00 p.m. on weekdays.

My report also included four pictures that were entitled as follows:

On May 24th about 150 people, many of whom are distinguished scientists, professors and artists, assembled on the steps of the Capitol with several Members of Congress. I told the group that I will continue to pursue every constructive effort necessary to undo the President's usurpation of Congressional authority and get our men, bombs, and mines out of Vietnam. I then accompanied them when they delivered a "petition for redress of grievances" to the Speaker of the House, Carl Albert.

UFT President, Albert Shanker, testifying at my hearing on school violence.

The March 22nd press conference of the National Commission on Marihuana and Drug Abuse with Chairman Raymond P. Shafer, former Governor of Pennsylvania, and Commission Member Joan Ganz Cooney, President of Children's Television Workshop.

On April 10th and again on May 1st, the House Ways and Means Committee held hearings on my bill, H.R. 850 as amended, to give single taxpayers and working married couples tax equity. In preparing for the hearings I met on several occasions with Chairman Wilbur Mills and Vivien Kellems who is the citizen leader in the national campaign for tax equity for single taxpayers.

SEEKS TO CORRECT INADEQUACIES IN SOCIAL SECURITY SYSTEM

The SPEAKER. Under a previous order of the House, the gentlewoman from New York (Mrs. ABZUG) is recognized for 30 minutes.

Mrs. ABZUG. Mr. Speaker, the social security system must be adjusted to serve the needs of the people. Today, one of our most serious problems is assuring adequate income for our older citizens. As it stands now, older Americans who are beneficiaries of social security are in a terrible financial situation compared to the currently working population.

Let me cite some statistics: Of the 20.5 million persons aged 65 and over in 1967, only about 3 million were employed, according to a study by the Department of Labor. Projections for 1980 in the same report indicate that out of a population of 23.1 million aged persons, 19.7 million will not be in the labor force. If these projections foretell the future with any degree of accuracy, earnings will constitute a diminishing portion of total income for the aged population, causing them to rely increasingly upon social security benefits for their main support.

This situation calls for legislation to correct the financial inequalities that exist in the social security system. I am today introducing a package of bills which go to specific problems and seek to correct the inadequacies of the existing system. I would like to share with my

colleagues the information that motivated me to make a comprehensive study of the social security system and propose these corrections. I hope that they will act upon this knowledge and support these social security reforms.

A U.S. Bureau of the Census report on family incomes has indicated that the income of the aged is very much below the national average. The median total income of families headed by a person aged 65 or over in 1970 was \$5,053, while the median income of all families was \$9,590. The median income of aged unrelated individuals—people not in family earning units—was \$1,951, compared with \$2,489 for all unrelated individuals.

Retirement is the main reason for the decline in total income of older persons, but also, the older a person is, the more likely it is that his or her social security and other pension benefits are based on past employment and earnings which were at rates much below the current wage level, and the more likely it is that the former wage earner is in the process of reducing or exhausting his or her assets.

The net result of this is that poverty is the rule for people over 65. The most recent Social Security Administration figures show that nearly 30 percent of those aged 65 or over—in comparison with 17 percent of the population at large—are officially classified as "poor" by their standards. In 1966, 2.7 million of the 4.9 million aged persons living alone were poor. Of the aged living in family units, 2.7 million of the 13.1 million were in households classified as poor.

Thus, 25 percent of the people 65 and over—as compared with 10 percent of the general population—are below the poverty line. The Social Security Administration's latest figures state that 92 percent of all persons aged 65 or over were eligible for benefits in 1971. The average old-age retirement benefit in January 1972 was \$132.16 a month—\$116.58 for reduced benefits paid to people who retire at age 62 instead of at age 65 or later. Couples receive more, not only because couples' benefits are 50-percent larger than those of single persons, but also because the earning histories of married men tend to be higher than those of nonmarried men or women.

Another problem under the current system is that of early retirees. The Social Security Administration tells us that early retirees earned less and experienced more unemployment than did workers who retired at age 65 or later. As a result, benefits of early retirees run 25 to 35 percent below those of persons who retire when aged 65 or more. A report by the Brookings Institution states:

The economic condition of early retirees must be inferior to that of persons who are aged 65 or over at the time of retirement . . . his family is even more dependent on Social Security benefits than are other beneficiaries . . . they have low earning histories and because retirement is before age 65, they must accept permanently reduced benefits.

There are also certain inequities regarding the treatment of both women and men that are built into the social security system.

For example, there are many special dependency requirements for men who want to collect widowers' benefits where there are few for widows. Men have to have been dependent upon their wives at the time of the wives' entitlement to benefits, or the wife must have died during a period of her disability.

In order for a divorced woman to collect wives' benefits on her husband's earning record, they must have been married for 20 years. This provision alone handicaps women by putting many of them in a precarious financial situation if they have spent most or all of the period of their marriage doing domestic work and not accruing any earnings or earning resources.

Another serious problem which is reflected in the divorce provision discussed earlier is that this country must face the fact that there are millions of people—mostly women—who have spent their peak earning years managing a household and caring for families. This effort is one which is as socially useful as outside paid work and it ought to be recognized as such. The worth of this work should be calculated in terms of current market values. Social security benefits should then be paid to "householders" on the basis of that calculation. One of the bills I am introducing today would correct this inequity.

I will also be reintroducing my bill H.R. 13371, which provides for a minimum annual income of \$3,375 for older single people and \$4,500 in the case of couples, a 25 percent across-the-board increase in social security benefits with subsequent cost-of-living increases, reduces the social security tax rates and provides a more equitable determination and apportionment, eliminates the existing actuarial reduction in widows' and widowers' benefits in case of disability, includes within the term "disability" conditions requiring substantially continuing care, and requires that future social security benefit increases be disregarded in determining need under the various federally assisted public insurance programs.

A brief explanation of all 14 new bills I am introducing today follows:

EXPLANATION OF BILLS

H.R. —. The "householder's basic benefit" is a Social Security benefit available to all men and women who remain at home and perform the service of maintaining a household during the time they could have been wage-earners. The financing for this will come out of the 4 to 6 billion dollar annual surplus of the Social Security Trust Fund or out of general revenues. It is our national responsibility to insure that our older citizens, those who have managed households as well as those who have been employed, have an adequate income to support them during retirement.

H.R. —. This bill would allow full Social Security benefits to be collected at age 60 and reduced benefits at age 55. It also provides that widows', widowers', and parents' insurance benefits shall be payable without regard to age.

H.R. —. This bill would allow anybody receiving Social Security benefits to earn an outside income of up to \$9,000 after which only 50¢ would be taken away from Social Security benefits for each dollar earned.

H.R. —. This bill will eliminate the

"family maximum." At present, provisions in the Social Security laws limit the total amount of benefits that may be paid to any one wage earner. With this change, the individual would be allowed to collect as much as he is entitled to as an individual wage-earner.

H.R. —. This bill reduces from 20 to 5 the number of years a divorced woman must have been married to allow her to collect wife's benefits on the former husband's earnings record.

H.R. —. This bill eliminates the special dependency requirements for husbands' and widowers' insurance benefits. It also makes these benefits payable on the same basis as benefits for wives and widows.

H.R. —. This bill equalizes the situation between men and women so that benefits are provided for widowed fathers with minor children—who now receive no benefits at all—on the same basis as widowed mothers with minor children.

H.R. —. This bill allows a person who has been married and then divorced or widowed to retain the benefits to which he or she is entitled by the first marriage, upon remarriage, subject to the generic prohibition against simultaneous entitlement to benefits.

H.R. —. This bill provides that brothers and sisters who depend on a Social Security beneficiary for at least one-half of their support are eligible to receive dependents' benefits.

H.R. —. This bill would allow people to collect benefits on salaries based upon incomes of up to \$20,000 instead of the present \$9,000. It would also eliminate the ceiling on the amount of earnings which may be counted for the purposes of Social Security taxes.

H.R. —. This bill would reduce from 50 per cent to 25 per cent the proportion of support which an individual would have to be receiving from a Social Security beneficiary in order to qualify for dependent's benefits; however, no one would be permitted to receive benefits as a dependent of more than one person at a time.

H.R. —. This bill removes the duration of time requirements for men and women to collect widows' and widowers' benefits. Currently, a widow or widower must have been married nine months, or there must be a dependent minor child in order to collect benefits at all. This protects men and women who are briefly married but entitled to benefits on their spouse's earning record.

H.R. —. This bill would allow people who are entitled to more than one benefit to collect the largest benefit plus one-half of the second largest to which they are entitled. This would allow a person who is entitled to a benefit other than the basic one—for example, a benefit based on a disability—to collect one-half of that next benefit. This would help the beneficiary pay for costs incurred by his disability. It is clear that his other basic benefit would very possibly not be adequate under certain circumstances.

H.R. —. This bill allows dependent parents who receive at least one-half of their support from a working child to collect old age or disability insurance benefits when the child becomes eligible for Social Security. Currently, parents can collect only as survivors. Elderly parents who are dependent for their support on their wage-earning children are clearly cases in need. We must help the family in support of the parent before the beneficiary dies. Even at age 65 it can become extremely difficult for a person on Social Security to maintain a viable family unit for a wife and children. All older people over 72 receive about \$44 a month, but this certainly is a minor help to a person supporting a family.

We cannot allow our elderly to live in the

indignity of poverty. We must make a national commitment to insure that all our retired and elderly citizens live peaceful productive lives on adequate incomes.

ANNIVERSARY OF SOVIET OCCUPATION OF LITHUANIA

The SPEAKER. Under a previous order of the House, the gentleman from Massachusetts (Mr. BURKE) is recognized for 15 minutes.

Mr. BURKE of Massachusetts. Mr. Speaker, I would like at this time to direct my remarks toward the policy of repression that the Soviet Union persists in utilizing toward the republic of Lithuania. This day marks the sad anniversary of the invasion and occupation of the peace-loving nation of Lithuania by the Soviet Army in 1940. From that moment on, the people of this Baltic state have suffered restrictions on their political freedom and oppression in their religious pursuits. The actions of the Soviet Union in this affair cannot in anyway be found to be consistent with the charter of the United Nations and therefore constitutes an illegal subjugation of an entire nation.

Through the efforts of the Lithuanian-American community and the National Captive Nations Committee we have been made frighteningly aware of the plight of this enslavement. The rioting and turmoil that recently took place in Kaunas and drew the focus of international attention has only served to underline the determination of this proud people to regain their beloved independence and secure their cultural and political freedoms.

The ongoing tragedy in Lithuania should be of special concern to the Government and people of America, a nation dedicated to the sacred principle of national self-determination. The developments in Lithuania have for many years closely paralleled the dilemmas that have plagued Soviet Jewry and warrant our closest scrutiny. Any and all attempts at politico-cultural genocide must be met by a strong American revulsion grounded in the doctrine of universal human rights.

With these thoughts in mind, I am sure that all Members of Congress and the American people as a whole will share with me in the recognition of this somber occasion and work undaunted in the noble cause of freedom.

Mr. FLOOD. Mr. Speaker, it is not generally known and sufficiently appreciated that the largest captive non-Russian nation in the U.S.S.R. and Eastern Europe is Ukraine.

With a population of over 45 million, Ukraine is one of the most resourceful nations in Europe, and, if it were not under the domination of Russian Moscow, it would surely again become "the granary of Europe" in an advanced economic framework of industry and agriculture. Also, the country's geographic location, extending from the Carpathian Mountains toward the Caucasus and above the Black Sea, is a most strategic one as concern developments in Europe, Asia, and the Middle East.

Because we shall hear more and more

about this largest captive nation in Europe, I submit for our popular edification the illuminating section on "Ucrainica in American and Foreign Periodicals" in the world-respected scholarly journal of East European and Asian affairs, the Ukrainian Quarterly. The section, prepared by Dr. Lev E. Dobriansky of Georgetown University, regularly shows the growing interest in this captive nation and, above all, the prominent myths and misconceptions that many in the West still cling to when analyzing or commenting upon the Soviet Union, Russia, or Ukraine. It is high time these myths were dissipated, and a Select House Committee on the Captive Nations would be the most effective way of doing it—the Ukrainian Quarterly, summer, 1972.

UCRAINICA IN AMERICAN AND FOREIGN PERIODICALS

"The Dramatic Changes at USIA," an article by Verdon Cummings. *Human Events*, Washington, D.C., May 6, 1972.

The very able and highly principled Director of the United States Information Agency, Frank Shakespeare, has lately been under fire for his many courageous changes and innovations in the USIA. As emphasized in this revealing article, one of the most innovative was his March directive to abolish all nonsensical, semantic usages concerning the Soviet Union. It may not be sufficiently recognized, but this constitutes a tremendous stride in our government. It is hoped that some segments of the White House will catch up with the Shakespeare innovation.

As the writer puts it bluntly, "In another policy memorandum to his aides, Shakespeare made it clear that the use of the word 'Soviet' as a collective noun would no longer be acceptable by USIA media and officers." If one were to read the complete memo or directive, he would be wholesomely surprised by the firm, knowledgeable stroke taken. As the Director stated it, "USSR propaganda increasingly refers to the people who live within its borders as 'the Soviets.' There is no such thing. The correct meaning of 'soviet' is a council of workers. Use of the word as a collective noun for the population of the USSR should be avoided by our media and officers."

The Director is quoted further as stating, "The people of the major nations within the Soviet Union should be referred to by their nationality; i.e., Ukrainians, Georgians, Latvians, Russians, Uzbeks, Armenians, etc." He referred to the February issue of *Soviet Life*, which alluded to "a new historical community of peoples—the Soviet nation," and replied, "This is semantical absurdity. There is no 'Soviet nation' and never will be."

In what is truly a most substantial innovation in our executive part of the national government, Mr. Shakespeare stressed also that the "Union of Soviet Socialist Republics is a state; it encompasses many nations, and is thus a multi-national state . . . but it is not a nation. To call it so, apart from being grammatically incorrect, is to foster the illusion of one happy family rather than an imperialist state increasingly beset with nationality problems, which is what it is."

The progress made in this respect for our Nation's understanding of the USSR cannot be sufficiently described here. Anyone familiar with these problems for the past two decades and more must pay tribute to the tremendous action taken by Mr. Shakespeare. "USIA Head Bars 'Soviet' From Usage," a report in AP. *The Washington Post*, Washington, D.C., March 24, 1972.

Concerning the above Shakespeare change, reports across the country featured the im-

mediate reaction of Senator W. J. Fulbright, chairman of the Senate Foreign Relations Committee. According to this Associated Press report, Fulbright viewed the directive as an indication of a USIA effort to "stir up trouble for the USSR government."

Fulbright held that such things "undermine the objectives of the President's trip to the Soviet Union." In an exchange with Kenneth R. Giddens, director of the VOA, who denied this intent, the chairman responded, "It looks like that is exactly what you are trying to do." However, the facts are that Fulbright has very little understanding of this problem and, what's more, shows his usual poor logic in suggesting that a suppression of truth is necessary for the avoidance of trouble-making or the success of the President's trip to Moscow. You don't impress the Russian leaders with cowering non-knowledgeability.

"What's In A Shakespeare?", an article by Russell Baker. *The New York Times*, New York, N.Y., March 3, 1972.

On the same subject, a possibly humorous but definitely puerile piece is presented here, comparing William Shakespeare's negative view on the value of a name and Frank Shakespeare's insistence on semantical precision as concerns our treatment of the USSR. The essential parts of Mr. Shakespeare's USIA directive are repeated here. And several ridiculous observations are made as well.

"Mr. Shakespeare (Frank)," the writer observes, "obviously dislikes the Soviet Union and believes that it can be hurt if we refuse to call its residents by the name of its choosing. What's in a name? The difference between victory and defeat for the imperialistic Soviet multinational state, he suggests." From this above it is evident that the writer shows little comprehension of the institutional environment of the USSR. Certainly the name USSR itself has never been of the "choosing" of over half of its population. What's more, the state as a whole is not "imperialistic" but rather the Soviet Russian apparatus which overran the independent republics of Ukraine, Byelorussia, Georgia, Armenia and others back in the early 20's. In short, a rose is a rose, a rose, and a fool is a fool, a fool.

"Get Kowtonluk," an editorial. *The Richmond News Leader*, Richmond, Va., February 7, 1972.

The incredible case of Professor Filimon Kowtonluk at Virginia State College has been reported in all the large newspapers of our country. The charge against the professor was "unprofessional conduct." Actually, it was a crude attempt to oust the tenured professor for his anti-communist views. As the editorial points out, "In articles by two different writers, the *Times* has suggested that the real reason behind his dismissal was his outspoken anti-communism." Reference is made to articles that appeared in *The New York Times*.

However, with the help of professional organizations, Dr. Kowtonluk fought the case and, on the basis of latest information, won it. He is quoted in this editorial as having said "I am very, very much sickened by all of this." And, indeed, he should be. Freedom is as precious in academia as in life generally. Freedom is indivisible. The professor is to be widely congratulated for his substantial contribution to it, despite his unfortunate personal costs.

"Magadan and the Rising New Humanism," an article by Roman Rakhmanny. *The Windsor Star*, Windsor, Canada, March 8, 1972.

The writer of this absorbing piece is a Canadian journalist of Ukrainian ancestry. His writings on East European subjects are extensively published in Canadian and other organs. As this one, they are consistently packed with concrete facts and new informa-

tion, and engage the reader's interest throughout. This article, based on Michael Solomon's book *Magadan*, stresses the new sweep of humanism among the various nationalities in the USSR, including the Russians themselves.

Solomon is a naturalized Canadian who spent years in the Magadan concentration camp system during the days of Stalin and Beria. He was turned over by Romania's secret police to the Russians who regarded him as a British spy and also a Jewish expert on Palestine. As the writer shows, Solomon "frankly admits to not having shared in the 'delusion' of the Ukrainian prisoners for the idea of a sovereign non-communist Ukraine." The writer develops the matter of international understanding and concern among the peoples in the USSR by interweaving the Solomon disclosures with the good works of Rev. Onufriy Iwanluk who saved Jews in Lviv during the war, the declarations of Ivan Dzyuba, the incarcerated Ukrainian writer, in behalf of the rights of Jews in Ukraine, and other instances in the rising new humanism in the USSR.

"Canada Beefs Up Guard On Kossygin," a news report, *Boston Evening Globe*, Boston, Mass., October 19, 1971.

This is just one of numerous reports on the Kossygin trip to Canada last fall. The visit was not without some comical aspects as well as hazards. Two bombs and a dozen Molotov cocktails were discovered near the Russian embassy in Ottawa.

With this account a photo is shown of a young demonstrator holding a sign with the message "Ukraine Will Rise." Canadians of Ukrainian ancestry demonstrated extensively against Kossygin's presence. One great value in such demonstrations is the momentary publicity given to the issues and problems that people are concerned with. The problem of Ukraine's freedom was highlighted in the course of this visit.

"Khrushchev's Life: Peasant, Hero, Dishonor," an article by Stephen S. Rosenfeld, *The Washington Post*, Washington, D.C., September 12, 1971.

Upon the death of Nikita S. Khrushchev many of the articles that were written seemed to be dressed-up eulogies for a man whose ascent to power was made possible through the death of millions. At least this one presents the bloody facts of K's life. Not all of them as can be found in the Congressional study of 1959 on *The Crimes of Khrushchev*, but a sufficient amount, nonetheless.

Referring to the period of the late 30's, the *Post's* editorial writer states, "The Ukraine in that period put up tremendous resistance to Stalin's policies. Millions died. Khrushchev's hands were bloodied. His ruthless administration and his identification with Stalin became his chief political embarrassment after Stalin's death."

"Soviets Admit They Fear Expressions of Nationalism," a commentary, *Freedom's Facts*, Washington, D.C., April 1972.

This publication of the All American Conference, edited by Donald L. Miller, features many excellent commentaries on the Soviet Union. This one highlights the force of nationalism among the captive nations. Aptly put at the start, "If a Rumanian prefers being Rumanian to being a socialist internationalist, he becomes an enemy to the Soviets—even if he is a Communist." Of course, a "Ukrainian who wants self-determination for Ukraine is an enemy of the Soviet state."

Moscow's fears on this score are cogently expressed in the commentary. For instance, on April 3 Radio Moscow attacked the People's Republic of China and "declared that nationalism led to the Hungarian Revolution in 1956, the Czechoslovak Revolution in 1968, and to the current anti-Soviet appeals of Peking to nations of East Europe and Ukraine to demand national independence."

Also, Moscow has repeatedly attacked Radio Liberty and Radio Free Europe as "organizers of ideological diversions" in Eastern Europe. On this, significantly, Moscow has an ally in Senator Fulbright in the U.S.

"Soviet Analyst—A New Fortnightly Newsletter," introduced by the Honorable Gordon Allott, *The Congressional Record*, Washington, D.C., April 5, 1972.

Senator Allott of Colorado has introduced to the American reading public the new publication *Soviet Analyst*, issued in London under the dual editorship of Robert Conquest and Tibor Szamuely. Both editors are experts on the Soviet Union. The theme of the new publication is set forth in these penetrating words: "Our relations with the Soviet Union are the centre of the whole refractory array of international problems before us, and thus of the future of the world. The depth and accuracy of our understanding of the Soviet Union is the crux of our correct handling of these problems." This truth has been expounded by *The Ukrainian Quarterly* since its inception in the 40's.

It is encouraging to see the emphasis placed on nationality problems in the USSR. As the editors emphasize, "For years the West knew hardly anything about nationality problems in the USSR." They point out that the "recent arrests of 'bourgeois nationalists'—many of them CP members—in the Ukraine and elsewhere illustrate the government's increasing difficulties." In the years ahead the problem of the captive non-Russian nations in the USSR will unquestionably be a prime subject. Every new publication that recognizes this will also be of prime service to the interests of the West.

"Radio Liberty and the Russians," an article by Susan Jacoby, *The Washington Post*, Washington, D.C., April 9, 1972.

At a time when Radio Liberty, Radio Free Europe and also the VOA should be properly funded to expand their facilities to accommodate the historic changes taking place in Eastern Europe, Senator Fulbright and others would have them contracted. The benefit to Moscow is obvious. In this well-written article the writer pleads the cause of Radio Liberty. Her message is identical to that expressed in the article in this issue on "Do You Know the Captive Nations?"

In the data that she provides to justify the basic utility of RL, the writer incorporates material on Ukraine. As she puts it, "Radio Liberty also broadcasts many Samizdat works by Ukrainian writers in the Ukrainian language. They are not as well known in the West as Russian Samizdat writers but are even more important to the 49 million Ukrainians who make up the second largest ethnic group (after Russians) in the Soviet Union." More precisely, of course, they are more than an ethnic group; they are the largest non-Russian nation both in the USSR and Eastern Europe.

"College Protesters Disrupt Soviet Poet's Performance," a UPI report, *United Press International*, St. Paul, Minn., February 19, 1972.

The antics of the Russian poet Yevgeny Yevtushenko are familiar now to most Americans. Among dissident Russian intellectuals in the USSR he is held in low esteem both for the third-rate quality of his poetry and his evident serviceability to the Kremlin. The theatrical performer received a jolt during one of his recitals at Macalester College in Minnesota when, on stage, he was confronted by demonstrators shouting "Freedom to Ukraine."

Credit for the demonstration goes to TUSM, a Ukrainian American youth organization. As reported, "TUSM was composed of about 50 members . . . the group had no intention of harming Yevtushenko but merely wanted to read a series of demands for Ukrainian independence over the microphone." It is certain that the Russian poet will never forget this

incident in terms of the message conveyed by the courageous students.

"Lithuania's Catholics," an editorial, *The Evening Star*, Washington, D.C., March 31, 1972.

"Much is written about the plight of Jews in the Soviet Union, less about the persecution of Christians under Russian sway" is the way this editorial begins. It is a pungent piece, covering not only Lithuania's Catholics but also other Christians in the USSR. It stresses, "Catholics in Byelorussia and the Ukraine suffer under similar disabilities, as in fact do members of the Russian Orthodox and other denominations."

The editorial advises Moscow to take a leaf from Poland's book, which shows that "it is possible for Marxism and Catholicism to co-exist." The matter is deeper than this, but the suggestion is a good one. When hearings on the Flood resolution, H. Con. Res. 555-56, seeking to resurrect the Ukrainian Catholic and Orthodox Churches in the Ukraine, take place before the House Foreign Affairs Committee, this point will receive much attention.

"The War of Nationalities," a commentary, *Freedom's Facts*, Washington, D.C., February 1972.

Continuing with its far-seeing examination of a basic captive nations concept, this publication concentrates on the nationalities in both the USSR and Red China. That this subject will be of increasing importance in the years ahead goes without saying. The Nixon gestures both toward Peking and Moscow provide the climate for this. The commentary mentions Red Chinese-inspired appeals in Ukraine, "specifically urging Ukrainians to take up arms against Moscow in order to win long-desired Ukrainian independence."

It also states, "There is a twisted irony to Communist Chinese efforts to mobilize non-Russian nationalities to break away from Moscow and Russian intimations of interest in breaking non-Chinese nationalities away from Peking. The concept of supporting non-Russian and non-Chinese nationalities against their masters is American, a concept originated and carried forward by Dr. Lev E. Dobriansky, a professor at Georgetown University, President of the Ukrainian Congress Committee of America, and a long-time participant in the All American Conference."

With a firm grasp of the matter, the commentator points out further, "Presidents Eisenhower, Kennedy, Johnson and Nixon dutifully have issued annual Captive Nations proclamations, based upon the Captive Nations Resolution which Dr. Dobriansky moved through Congress to final adoption. Now, it seems that the two Communist giants themselves are making the liberation of nationalities of priority concern, not, admittedly, to bring the nationalities full independence but rather to exploit their aspirations for freedom as weapons against their vulnerable opponents." The last one couldn't express it more accurately and cogently.

"Russification on Baltic," an editorial, *The New York Times*, New York, March 18, 1972.

Though awkward in terminology, this editorial makes its point in the first sentence: "Minority nationalism has been growing in the Soviet Union, as elsewhere." From many angles, the nationalism is hardly "minority." Nations, captive ones, are involved in the USSR. But the editor makes his point, nonetheless, when he proceeds to state that the "demands of Soviet Jews for permission to emigrate to Israel, the complaints of Ukrainian intellectuals about the slighting of the Ukrainian language and culture and the little-concealed dislike Georgians feel toward Russian domination have been frequently noted."

Now, signs of stern resistance have appeared in the Baltic states against the selfsame process of Russification. As the editorial points out, "the native peoples of the Baltic

states—involuntarily incorporated into the Soviet Union three decades ago—are apparently worrying Moscow by their resistance to Russification, particularly to the influx of Russians and other Slavs who form an ever-increasing proportion of the population in the three Baltic states." Those who are familiar with political Russian techniques have long been shown the use of economic means for the attainment of political and even genocidal objectives. The editorial fails to introduce this intriguing aspect of the case.

GENERAL LEAVE

Mr. DENHOLM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the special order taken today by the gentleman from Massachusetts (Mr. BURKE) on the subject of Lithuania.

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

There was no objection.

URGENT NEED FOR STRICTER GUN CONTROL

The SPEAKER. Under a previous order of the House, the gentleman from Massachusetts (Mr. O'NEILL) is recognized for 10 minutes.

Mr. O'NEILL. Mr. Speaker, recent events have once again emphasized the emphatic and urgent need for stricter, more stringent gun control laws. The easy availability of handguns figure prominently in the rising crime rate, and the decreasing respect for life and property. For this reason, I am today expressing my support for the bill introduced by my colleague from Illinois (ABNER MIKVA).

In addition, I will shortly be asking that the Massachusetts delegation join me in this effort to eliminate the 20,000 deaths a year which result from gunfire in America. H.R. 915, proposed a comprehensive system of prevention and control which would prohibit the importation, manufacture, sale, purchase, sale, transfer, receipt or transportation of handguns in any manner affecting interstate and foreign commerce, except for or by the members of the Armed Forces, law enforcement officials, or by authorized pistol clubs. As Mayor Daley, of Chicago, has pointed out numerous times, the handgun serves no useful function, as it is inappropriate for use by legitimate sportsmen.

Opponents of gun control regularly argue that the focus of the effort should be directed at the criminal and that gun controls restrict law abiding citizens in their attempt to defend themselves. Yet handguns are seldom useful or appropriate for self-defense. More often than not, guns precipitate violence rather than deter it. As several gun experts have pointed out, it is more likely that a handgun stored in the home for "protection" will injure or kill a member of the family than save a life. A recent article in the Christian Science Monitor stated that in Detroit, more people died in 1 year from handgun accidents alone than were killed by home invading burglars in 4½ years. Most gun violence does not occur

during robberies or other criminal acts involving strangers. Generally, gunplay occurs between people who know each other. Furthermore, guns are vastly more likely to lead to death than other weapons, five times more likely than knives, for instance. Logic and reason gravitate against the ownership of handguns. Arming our citizenry can only further guarantee that actual violence will result and encourages a spirit and ambience of lawlessness which is intolerable in this modern age.

As Congressman MIKVA indicated when he introduced this bill, the mayors of our major cities, the police chiefs and the majority of Americans are aware of the desperate need for handgun control. The estimated 200 million firearms in the United States represent potential death and violence. This Nation, by refusing to act to curtail this domestic arms race, is daily perpetrating crime against itself at the tremendous price of thousands of human lives.

Many opponents of gun control argue that we must analyze further the role which the easy availability of guns play in the overall crime rate before enacting gun control. They question the cause and effect of guns and crime. Yet, while further study is warranted, we can no longer afford to wait for the final answer. Although the subliminal cause of violent crime may lie in sociological factors beyond our present knowledge, the direct cause, guns, is certainly within our control.

I, therefore, call on Members of Congress to unite behind a strong gun control measure. While we have faced frontally every other threat to survival in this country, we have hidden from the gun control issue. Every other potential hazard to human life has been controlled, from DDT to chemicals in our food. It is foolhardy to delay gun control when the effect of doing so is so plainly visible.

While every other civilized nation in the world has taken steps to control the ownership and sale of firearms, the United States has done nothing. In Tokyo, a city four times the size of Los Angeles, only three persons were killed in 1970 by handguns. Yet last year handguns were used to kill 117 persons in Los Angeles, alone. Four years after Senator Robert Kennedy's death, President Johnson's basic question remains unanswered. "What in the name of conscience will it take to pass a truly effective gun control law?" We must supply a prompt and effective response to that question, for it cannot be allowed to linger while thousands die each year from handguns.

NDEA MERITS EARLY FUNDING

The SPEAKER. Under a previous order of the House, the gentleman from Tennessee (Mr. FULTON) is recognized for 5 minutes.

Mr. FULTON. Mr. Speaker, one of the most popular Federal education assistance programs in Tennessee is title III of the National Defense Education Act.

Therefore, it is of great concern to me and the thousands of Tennesseans involved and interested in education in

Tennessee that title III of NDEA was not included in the Labor-HEW appropriations bill which we consider today. Unfortunately neither NDEA title III nor any of the other programs included in the Education Amendments Act of 1972, S. 659, could be included in this appropriations bill because action on the authorization legislation came too late for proper consideration by the appropriations committee.

However, now that the authorization for another 3 years has been passed, it is my hope that the earliest possible consideration by the Labor-HEW Appropriations Subcommittee will be given to legislation recommending funding for NDEA title III and other programs such as title VI of the Higher Education Act of 1965.

The NDEA program is ongoing and of great value to local school administrators. Therefore, I believe it would be a disservice to efficient education planning if title III funds are delayed into the 1972-73 school year. It is my hope that the earliest possible consideration by the Labor-HEW Appropriations Subcommittee will be given to legislation recommending funding for NDEA title III and other programs such as title VI of the Higher Education Act of 1965.

The NDEA program is ongoing and of great value to local school administrators. Therefore, I believe it would be a disservice to efficient education planning if title III funds are delayed into the 1972-73 school year. It is my hope that some way will be found for funding this program in order that schools can begin planning now on how they will use this money. Too often we have found that when funds are appropriated late in the school year, administrators are rushed to use the money and inefficiencies occur.

I repeatedly receive reports as have many Members, I am sure, indicating the continued need for NDEA III, despite the recommendation of the administration that it be discontinued. I hope the appropriations committee will hear the pleas of local schools throughout the Nation which are counting on NDEA title III funds and will be seriously hurt by any long delays in moving such funds from Washington into the field.

DEATH OF 1ST LT. RONALD DOUGHTIE

(Mr. GIBBONS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GIBBONS. Mr. Speaker, much has been reported of the death of John Paul Vann, senior U.S. Adviser in the Central Highlands of South Vietnam.

Two other men died with Vann in that unfortunate crash on June 9. The pilot was 1st Lt. Ronald E. Doughtie of Tampa, Fla.

The job of a helicopter pilot is a dangerous one which is not sought after in the Army. It takes a special type of man to daily dart in and out of the intense fighting in South Vietnam, carrying vital cargo or personnel. And it takes a special type of man to be John Paul Vann's pilot. Ron Doughtie was this type of man.

Coming up through the ranks in the Army, he was commissioned 3 years ago. His father is a retired lieutenant colonel with a fine record of service. His brother currently serves in the Naval Reserves. He leaves a wife and child currently residing in Pennsylvania. No one can fully realize the great sacrifice made by the families of our servicemen who are killed in action. His mother, his wife, and the rest of his family have experienced an irreparable loss.

So ends the career of a courageous young man. Ron will be missed by many.

SEX DISCRIMINATION IN THE INSURANCE BUSINESS

(Mrs. GREEN of Oregon asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. GREEN of Oregon. Mr. Speaker, today, several of my colleagues and I are introducing legislation to correct what appears to be a widespread discriminatory practice by insurance companies of limiting coverage in certain policies written for women.

One of the many types of discrimination is to be seen in disability income policies written for women. This was first brought to my attention by a highly respected and eminent woman physician, and surgeon, Dr. Amelia Lipton, practicing in Coos Bay, Oreg. I was at first slightly incredulous at the documentation of outrageous discrimination she brought to my attention late last year. Subsequent investigation, however, shows that it was all too painfully true.

When Dr. Lipton first applied for disability income insurance coverage commensurate with her professional standing and earning capability, she was informed that it would be available to her on a professional men's disability policy but that her coverage would be limited to substantially less than half what she would be permitted if indeed she were a "professional man." She would be permitted \$100 weekly indemnity and not one penny more. Men could draw \$250 weekly benefits and perhaps more.

Understandably incensed, the doctor wrote a letter of protest to her insurance company and received back the following reply which must surely rank with the foremost "nonexplanations" of all time:

Our underwriting is not based on your income. . . . I can well understand your point in stating that your disability would be equally disastrous (as a man's); however, we must abide by our Company's rule.

No amount of evasion could cover up the fact that this doctor's disability income coverage was being limited because of one fact and one fact only: She was a woman—one who managed, against almost insurmountable odds, to enter the prestigious field of medicine. And although one of the elite 9 percent to do so, she was by no means to be spared the slings and arrows of outrageous discrimination from this wholly unexpected quarter. Had she been a male doctor, there would not have been the ceiling of \$100 a week for insurance coverage.

Her story was reported in the Portland Oregonian, as follows:

STATE INVESTIGATES INSURANCE SEX BIAS

A Coos Bay physician has sparked a state investigation of insurance companies which balk at giving professional women the same protection they do men.

Dr. Amelia Lipton told Rep. Edith Green, D-Oreg. that the Commercial Insurance Co. of San Francisco refused to give her any more than \$100 a week in commercial income insurance.

Dr. Lipton said the company told her the limit on all female applications is \$100 regardless of income.

There is no hard and fast rule for men, the Associated Press reported Rep. Green said.

Normally such policies are based on the income of the applicant. A person might make between \$40,000 and \$60,000 a year and take out disability income insurance of up to \$1,000 a week.

Rep. Green wrote to Oregon Insurance Commissioner Cornelius Bateson, asking him to look into the case. Monday Bateson was out of the state, but his assistant commissioner, Frank Howatt, said Bateson had received an explanation from the company. Howatt said the company admitted its basic underwriting policy was at fault and that it should have considered Dr. Lipton's policy on its merits.

STUDY SCHEDULED

Howatt said Bateson would study the case to see if it constituted unjust discrimination. He also said the office would try to determine if the practice is widespread in the insurance business.

In a letter to Rep. Green, Bateson said, "I get the impression that Commercial may tend to think of females as only occupying low-paying positions and not being capable of becoming doctors or members of Congress. An archaic view, but unfortunately not one which has been completely eradicated."

In San Francisco, Mrs. Elsie Hook, Commercial's underwriter, said the company has reconsidered Dr. Lipton's case and is willing to approve whatever disability insurance she requested.

Dr. Lipton is vacationing in Africa until April and could not be reached.

Mrs. Hook said the company would lift its limit on women's disability income policies from \$100 to \$150 a week but would go no further. "Women are more prone to sickness than men," she told The Oregonian.

When asked why Dr. Lipton's case would be judged on its merits while other women's policies would be subject to the \$150 a week rule, she referred further questions to the firm's New York office.

In Washington Mrs. Green said state insurance commissioners have the clout to force equitable practices of firms operating within their boundaries.

Howatt said if the firm was found to be unjustly discriminating, Bateson could issue a cease and desist order, could withdraw approval for the firm to operate in Oregon or fine the firm.

Rep. Green said she will introduce legislation in Congress to prevent such disparities in coverage.

Pleased as she was by the partial personal victory, Dr. Lipton herself is mindful of the fact that there is a larger one yet to be won—for all women, regardless of professional rank or calling. As she so eloquently wrote to me afterwards—

It is my hope that the change will be one of policy, rather than of concession to an individual. I hope that the insurance commissions will follow through.

This is why I have decided to introduce national legislation. In so doing, I

am mindful of the fact that it is traditionally a State function to regulate the insurance business. For my part, I would be content to let it remain so since it would be more in consonance with my dedication in principle to a return to even greater State and local control.

There are some matters, however, which—like this present one—are of such overriding concern that they demand the setting of a national policy against discrimination based on sex. There is certainly precedent for this in the introduction of legislation for a national uniform standard of no-fault automobile insurance which has been occasioned, as I understand it, by the chaotic situation which now exists in the various States with respect to this issue.

What I have disclosed here today may only be the tip of the iceberg of sex discrimination which, for all we know, may exist in greater or lesser degree in most, if not all, of the regulatory codes uniquely in force in each State. I would hope, Mr. Speaker, that the great majority of my esteemed colleagues will agree that it is a situation which very much needs looking into, and I offer the text of my bill for their earnest consideration:

H.R. 15552

A bill to provide a remedy for sex discrimination by the insurance business with respect to the availability and scope of insurance coverage for women

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no person contracting to insure another against any loss shall deny to the insured or otherwise limit the insurance normally written with respect to the risk of such loss solely because of the insured's sex, nor shall any person holding himself out to the public as offering to contract to insure others refuse to contract to insure any person solely on the grounds of that person's sex. Nothing in this Act shall prevent any person who contracts to insure another from setting rates for such insurance in accordance with relevant actuarial data, even if such rates differ with respect to the sex of the insured. The courts of the United States shall have jurisdiction to give appropriate civil relief, including damages and declaratory and equitable relief, to any person aggrieved by a violation of this Act.

ENVIRONMENTAL PROTECTION AGENCY BAN ON DDT IS COSTLY AND UNSCIENTIFIC

(Mr. GOODLING asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GOODLING. Mr. Speaker, the decision of the Environmental Protection Agency to ban DDT is perhaps one of the most costly and unscientific actions ever taken by an agency of this Government.

By its own admission, it may be costly in human life, for the switch from DDT to methyl parathion could well cause a number of deaths in cotton fields in 1973. This fear is based on the unhappy experience several years ago when four deaths occurred in tobacco fields when organo phosphates were used in place of DDT.

The decision to ban DDT will be costly because it will increase the cost of producing cotton which is used not only as a

fiber but as food oil and high protein meal for livestock production.

The decision to ban DDT is unscientific because it accepts only the viewpoints which support its conclusions and ignores scientific fact to the contrary. In particular, the decision ignores the previous findings by the hearing officer following 7 months of testimony including cross-examinations, resulting in a document of 12,000 pages.

The decision to ban DDT is unscientific and appears to be an emotional one for it is blind to environmental evidence that this Nation's wildlife populations, with few exceptions, are the highest in history. It bases much of the case on thin egg shells which have not been conclusively proved and, in fact, the record shows it is in serious doubt particularly when one of the government witnesses supporting this theory failed to insert the complete record of his research into the record of the hearing.

As a Pennsylvania orchardist and agriculturist, I know that every poultryman who has produced eggs has experienced thin egg shells. We, in agriculture, know how to handle the problem. If the environmentalists will turn the thin shell egg problem of wildlife over to the USDA and the Nation's land-grant colleges, we will not only solve it, we will create a surplus of that species if the national interest so indicates.

The decision is unscientific for it is in complete variance with the eloquent testimony of Dr. Norman Borlaug, Nobel Prize winner, whose knowledge and observations of the environment around the world lead him to conclude the environment is not in danger from DDT.

Personally, I have applied DDT since the 1940's on my own orchards. I have not seen environmental damage on my farms which today abound in wildlife. Doctors tell me I am in excellent health.

I feel that DDT has been of more benefit to mankind than the whole race of environmentalists put together, for it has saved millions of lives and has been an essential tool in the production of a dependable food supply at low cost to consumers.

I challenge the wisdom when EPA concludes that the use of DDT is not necessary to assure an adequate supply of cotton at a reasonable cost. This is a decision which within the structure of our Government should be made only by the USDA for it has the responsibility for the dependability and adequacy of this Nation's food supply. For EPA to make a decision forcing a change of practice in one season on 38 percent of a major U.S. crop—that agency should also have the responsibility to live with its action.

I call upon the USDA to challenge EPA so that a balanced decision will be reached which will enable us to enjoy the benefits of DDT within the limitations of acceptable risks.

Unless the USDA fights this action, the Department, in my judgment, will lose a substantial reason for its existence.

Let me say I have been a conservationist and ecologist before many of today's "instant experts" were born. As I pointed out during hearings, too many

are strangely and completely inconsistent.

Prior to the time DDT became a dirty word we were doing a reasonably good job in controlling the ravages of the gypsy moth. Today it is on the rampage in practically the entire Northeastern area of our country. Countless millions of trees have already fallen victims to the caterpillar stage of this pest. There is every indication the spread will be rapid and in time will cover the entire United States.

Some would have us believe biological controls are the answer. They may be in the distant but not the immediate future.

As one who has been personally involved in agriculture for a half century, I believe June 14, 1972, will go down in history as a dark day in the life of the infant Environmental Protective Agency. It may have attempted to run before it had acquired a steady walking gait.

Finally, it may be a bit ironic that DDT is banned for use in the United States but its manufacture and sale to foreign countries has the blessing of EPA. There is a possibility that it could be sprayed on food and fiber plants and in turn the end product exported to the United States. Hardly appears consistent, does it?

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. ERLBORN (at the request of Mr. GERALD R. FORD), for June 19–June 28, on account of official business as U.S. representative to ILO.

Mr. ESCH (at the request of Mr. GERALD R. FORD), for June 19–June 28, on account of official business as U.S. representative to ILO.

Mr. HAGAN (at the request of Mr. BOGGS), for today, on account of official business.

Mr. HOSMER (at the request of Mr. GERALD R. FORD), for week of June 12, on account of official business.

Mr. MCKAY (at the request of Mr. BOGGS), for today, on account of official business.

Mr. NICHOLS (at the request of Mr. BOGGS), 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, was granted to:

(The following Members (at the request of Mr. FREY), to revise and extend their remarks, and to include extraneous matter):

Mr. KEMP, today, for 15 minutes.
Mr. FINDLEY, today, for 10 minutes.
Mr. WYMAN, today, for 30 minutes.
Mr. McCLOREY, on June 22, for 60 minutes.

Mr. EDWARDS of Alabama, today, for 5 minutes.

Mr. HOGAN, today, for 5 minutes.
(The following Members (at the re-

quest of Mr. DENHOLM) to revise and extend their remarks and include extraneous material:)

Mr. GONZALEZ, for 10 minutes, today.
Mr. ASPIN, for 5 minutes, today.
Mr. KOCH, for 10 minutes, today.
Mr. FLOOD, for 5 minutes, today.
Mrs. ABZUG, for 30 minutes, today.
Mr. BURKE of Massachusetts, for 15 minutes, today.
Mr. O'NEILL, for 10 minutes, today.
Mr. FULTON, for 5 minutes, today.
Mr. DENT, for 30 minutes, June 20.
Mr. GAYDOS, for 30 minutes, June 20.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. YATES to revise and extend his remarks during the Committee of the Whole today, and to include extraneous material.

Mr. FLOOD to revise and extend his remarks on H.R. 15417.

Mr. SEIBERLING to revise and extend and include extraneous matter with remarks made in the Committee of the Whole.

Mr. FREY and to include extraneous matter and notwithstanding estimated cost of \$630.

All Members (at the request of Mr. DENHOLM) to revise and extend their remarks and include extraneous matter on the amendments of Mr. HATHAWAY and Mr. BADILLO to H.R. 15417, today.

(The following Members (at the request of Mr. FREY) and to include extraneous matter:)

Mr. RHODES in five instances.
Mr. SCHERLE in 10 instances.
Mr. WHALEN in two instances.
Mr. FINDLEY.
Mr. KEMP in two instances.
Mr. McDADE.
Mr. GUBSER.
Mr. DUNCAN.
Mr. FORSYTHE in two instances.
Mr. BROTZMAN.
Mr. CRANE in five instances.
Mr. BROOMFIELD.
Mr. WYMAN in two instances.
Mr. DERWINSKI.
Mr. SMITH of New York.
Mr. BOB WILSON in three instances.
Mr. SPENCE.
Mr. GROSS.
Mr. HANSEN of Idaho.
Mr. VEYSEY.
Mr. FRENZEL in three instances.
Mr. BROYHILL of Virginia.
Mr. STEELE.

(The following Members (at the request of Mr. DENHOLM) and to include extraneous matter:)

Mr. PODELL in two instances.
Mr. FLOOD.
Mr. MITCHELL in two instances.
Mr. ROBINO in two instances.
Mr. GONZALEZ in three instances.
Mr. HAGAN in two instances.
Mr. RARICK in three instances.
Mr. ROGERS in five instances.
Mr. JUNGATE in two instances.
Mr. YATRON.
Mr. DORN in five instances.
Mr. WOLFF.

Mr. BINGHAM in three instances.
 Mr. FOUNTAIN.
 Mr. LONG of Maryland.
 Mr. GARMATZ in two instances.
 Mr. MACDONALD of Massachusetts.
 Mr. MILLS of Arkansas in three instances.
 Mr. JAMES V. STANTON.
 Mr. NIX in two instances.
 Mr. MOORHEAD in five instances.
 Mr. VAN DEERLIN.
 Mr. BENNETT in two instances.
 Mr. BEGICH in five instances.
 Mr. MCKAY.
 Mr. WILLIAM D. FORD in two instances.
 Mrs. MINK.
 Mr. LEGGETT in 10 instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 473. An act to amend the Automobile Information Disclosure Act to make its provisions applicable to the possessions of the United States; to the Committee on Interstate and Foreign Commerce; and

S. 3080. An act to amend the Lead Based Paint Poisoning Prevention Act, and for other purposes; to the Committee on Banking and Currency.

ENROLLED BILLS SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 5404. An act to direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the Arkansas Game and Fish Commission, and for other purposes.

H.R. 13034. An act to authorize appropriations to carry out the Fire Research and Safety Act of 1968 and the Standard Reference Data Act, and to amend the Act of March 3, 1901 (31 Stat. 1449), to make improvements in fiscal and administrative practices for more effective conduct of certain functions of the National Bureau of Standards.

ADJOURNMENT

Mr. DENHOLM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 32 minutes p.m.), under its previous order, the House adjourned until Monday, June 19, 1972, 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:

2082. A letter from the Chairman, Securities and Exchange Commission, transmitting a draft of proposed legislation to provide for the registration and regulation of oil and gas programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

2083. A letter from the Chairman, Federal Power Commission, transmitting a copy of

the publication entitled "Sales by Producers of Natural Gas to Interstate Pipeline Companies, 1970"; to the Committee on Interstate and Foreign Commerce.

2084. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954 with respect to the deduction for moving expenses; to the Committee on Ways and Means.

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. PATMAN: Committee on Banking and Currency. Senate Joint Resolution 211. Joint resolution to amend title IV of the Consumer Credit Protection Act establishing the National Commission on Consumer Finance (Rept. No. 92-1130). Referred to the Committee of the Whole House on the State of the Union.

Mr. SISK: Committee on Rules. House Resolution 1018. A resolution providing for the consideration of H.R. 13853. A bill to amend title VII of the Housing and Urban Development Act of 1965 (Rept. No. 92-1131). Referred to the House Calendar.

Mr. YOUNG of Texas: Committee on Rules. House Resolution 1019. A resolution providing for the consideration of H.R. 14163. A bill to amend the Agricultural Act of 1970, as amended to indemnify farmers and ranchers whose domestic animals are killed by predatory animals (Rept. No. 92-1132). Referred to the House Calendar.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 10923. A bill to amend the cargo preference law; with an amendment (Rept. No. 92-1138). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROSTENKOWSKI: Committee on Ways and Means. H.R. 9410. A bill to amend title V of the Social Security Act to extend for 5 years (until June 30, 1977) the period within which certain special project grants may be made thereunder; with amendments (Rept. No. 92-1143). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS of Arkansas: Committee on Ways and Means. H.R. 12991. A bill to continue until the close of June 30, 1975, the existing suspension of duty on certain copying shoe lathes (Rept. No. 92-1144). Referred to the Committee of the Whole House on the State of the Union.

Mr. MORGAN: Committee of conference. Conference report on H.R. 14734. (Rept. No. 92-1145). Ordered to be printed.

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. SMITH of New York: Committee on the Judiciary. H.R. 1860. A bill for the relief of David Capps, formerly a corporal in the U.S. Marine Corps; with an amendment (Rept. No. 92-1133). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 6204. A bill for the relief of John S. Attinello; with amendments (Rept. No. 92-1134). Referred to the Committee of the Whole House.

Mr. MANN: Committee on the Judiciary. H.R. 10012. A bill for the relief of David J. Foster; with amendments (Rept. No. 92-

1135). Referred to the Committee of the Whole House.

Mr. MANN: Committee on the Judiciary. H.R. 10635. A bill for the relief of William E. Baker; with amendments (Rept. No. 92-1136). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 12638. A bill for the relief of Sgt. Gary L. Rivers, U.S. Marine Corps, retired; with amendments (Rept. No. 92-1137). Referred to the Committee of the Whole House.

Mr. DANIELSON: Committee on the Judiciary. House Resolution 943. Resolution to refer the bill (H.R. 3462) entitled "A bill for the relief of Seaview Electric Company" to the Chief Commissioner of the Court of Claims (Rept. No. 92-1139). Referred to the Committee of the Whole House.

Mr. SANDMAN: Committee on the Judiciary. H.R. 10363. A bill for the relief of Herbert Improte; with an amendment (Rept. No. 92-1140). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. S. 889. An act to restore the postal service seniority of Elmer Erickson (Rept. No. 92-1141). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. S. 2359. An act for the relief of Willard O. Brown (Rept. No. 92-1142). 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 Mrs. ABZUG:

H.R. 15521. A bill to amend title II of the Social Security Act and chapters 2 and 21 of the Internal Revenue Code, and to add a new title XX to the Social Security Act to provide for a minimum annual income of \$3,375 in the case of single individuals, and \$4,500 in the case of married couples, a 25-percent across-the-board increase with subsequent cost-of-living increases, to reduce social security tax rates and provide a more equitable method for their determination and apportionment, to increase old-age, survivors, and disability insurance benefits to reflect the new tax and benefit base, to eliminate the existing actuarial reduction in widow's and widower's benefits in cases of disability, to include within the term "disability" certain additional conditions requiring substantially continuous care, and to require that future social security benefit increases be disregarded in determining need under the various federally assisted public assistance programs; to the Committee on Ways and Means.

H.R. 15522. A bill to amend title II of the Social Security Act to provide that an individual who resides with and maintains a household for another person or persons (while such person or any of such persons is employed or self-employed) shall be considered as performing covered services in maintaining such household and shall be credited accordingly for benefit purposes; to the Committee on Ways and Means.

H.R. 15523. A bill to amend title II of the Social Security Act to provide that full old-age, wife's, and husband's insurance benefits (and medicare benefits) shall be payable at age 60 (with such benefits being payable in reduced amounts at age 55), to provide that full widow's, widower's and parent's insurance benefits shall be payable without regard to age, and for other purposes; to the Committee on Ways and Means.

H.R. 15524. A bill to amend title II of the Social Security Act to increase to \$9,000 a year the amount of outside earnings per-

mitted without deduction from benefits thereunder and to provide that deductions from benefits on account of outside earnings in excess of that amount shall not exceed one-half of such excess; to the Committee on Ways and Means.

H.R. 15525. A bill to amend title II of the Social Security Act to eliminate the "family maximum" provisions which presently limit the total amount of benefits that may be paid on an individual's wage record; to the Committee on Ways and Means.

H.R. 15526. A bill to amend title II of the Social Security Act to reduce from 20 to 5 years the length of time a divorced woman's marriage to an insured individual must have lasted in order for her to qualify for wife's or widow's benefits on his wage record; to the Committee on Ways and Means.

H.R. 15527. A bill to amend title II of the Social Security Act to eliminate the special dependency requirements for entitlement to husband's and widower's insurance benefits, so that such benefits will be payable on the same basis as benefits for wives and widows; to the Committee on Ways and Means.

H.R. 15528. A bill to amend title II of the Social Security Act to provide benefits for widowed fathers with minor children, on the same basis as is presently provided for widowed mothers with minor children; to the Committee on Ways and Means.

H.R. 15529. A bill to amend title II of the Social Security Act to provide that the marriage or remarriage of a beneficiary shall not terminate his or her entitlement to benefits or reduce the amount thereof; to the Committee on Ways and Means.

H.R. 15530. A bill to amend title II of the Social Security Act to provide monthly insurance benefits for qualified dependent brothers and sisters of certain insured individuals; to the Committee on Ways and Means.

H.R. 15531. A bill to amend title II of the Social Security Act to increase to \$20,000 the ceiling on the amount of earnings which may be counted annually for purposes of social security benefits, and to amend the Internal Revenue Code of 1954 to eliminate altogether the ceiling on the amount of earnings which may be counted for purposes of social security taxes; to the Committee on Ways and Means.

H.R. 15532. A bill to amend title II of the Social Security Act to provide that an individual shall be considered to be dependent upon another person (for purposes of any kind of benefits which are conditioned upon such dependency) if he or she is receiving at least one-fourth of his or her support (instead of one-half of such support as required under present law) from such other person; to the Committee on Ways and Means.

H.R. 15533. A bill to amend title II of the Social Security Act to eliminate the duration of marriage and other special requirements which are presently applicable in determining whether a person is the spouse or former spouse of an insured individual for benefit purposes; to the Committee on Ways and Means.

H.R. 15534. A bill to amend title II of the Social Security Act to provide that an individual entitled to more than one monthly insurance benefit thereunder may simultaneously receive the largest of such benefits plus one-half of the next largest; to the Committee on Ways and Means.

H.R. 15535. A bill to amend title II of the Social Security Act to provide monthly insurance benefits for certain dependent parents of individuals entitled to old-age or disability insurance benefits; to the Committee on Ways and Means.

By Mr. BRAY:

H.R. 15536. A bill to amend the Judiciary and Judicial Procedure Act of 1948; to the Committee on the Judiciary.

By Mr. BROTZMAN:

H.R. 15537. A bill to establish an Environmental Quality Corps; to the Committee on Education and Labor.

By Mr. CONABLE:

H.R. 15538. A bill to amend the Internal Revenue Code of 1954 to correct an inequity with respect to the applicability of the rules involving carryback and carryover of unused credits for investment in certain depreciable property; to the Committee on Ways and Means.

By Mr. McCURE:

H.R. 15539. A bill to amend section 2412(a) of title 28, United States Code, to make the United States liable for court costs and attorney's fees to persons who prevail over the United States in actions arising out of administrative actions of agencies of the executive branch; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 15540. A bill to amend title 39, United States Code, to exempt State lotteries from certain Federal prohibitions; to the Committee on Ways and Means.

By Mr. O'NEILL:

H.R. 15541. A bill to prohibit the importation, manufacture, sale, purchase, transfer, receipt, or transportation of handguns, in any manner affecting interstate or foreign commerce, except for or by members of the Armed Forces, law enforcement officials, and, as authorized by the Secretary of the Treasury, licensed importers, manufacturers, dealers, and pistol clubs; to the Committee on the Judiciary.

By Mr. PRYOR of Arkansas (for himself, Mrs. ABZUG, Mr. BADILLO, Mr. BENNETT, Mr. BERGLAND, Mr. BRASCO, Mr. BURTON, Mr. BYRNE of Pennsylvania, Mr. COLLINS of Illinois, Mr. COUGHLIN, Mr. DAVIS of South Carolina, Mr. DINGELL, Mr. EILBERG, Mr. FASCELL, Mr. FISH, Mr. FORSYTHE, Mr. GONZALEZ, Mrs. HANSEN of Washington, Mr. HARRINGTON, Mr. HECHLER of West Virginia, Mrs. HICKS of Massachusetts, Mr. HOGAN, Mr. HOSMER, and Mr. LEGGETT):

H.R. 15542. A bill to provide additional readjustment assistance to veterans by providing improved job counseling, training, and placement service for veterans; by providing an employment preference for disabled veterans and veterans of the Vietnam era under contracts entered into by departments and agencies of the Federal Government for the procurement of goods and services; by providing for an action program within the departments and agencies of the Federal Government for the employment of disabled veterans and veterans of the Vietnam era; by providing a minimum amount that may be paid to ex-servicemen under the unemployment compensation law; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PRYOR of Arkansas (for himself, Mr. CONTE, Mr. MELCHER, Mr. MITCHELL, Mr. MOLLOHAN, Mr. MOOREHEAD, Mr. PODELL, Mr. REES, Mr. J. WILLIAM STANTON, Mr. STEELE, Mr. STUCKEY, Mr. SCHWENGLER, Mr. TIERNAN, and Mr. YATRON):

H.R. 15543. A bill to provide additional readjustment assistance to veterans by providing improved job counseling, training, and placement service for veterans; by providing an employment preference for disabled veterans and veterans of the Vietnam era under contracts entered into by departments and agencies of the Federal Government for the procurement of goods and services; by providing for an action program within the departments and agencies of the Federal Government for the employment of disabled veterans and veterans of the Vietnam era; by providing a minimum amount that may be paid to ex-servicemen under the unemployment compensation law; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RARICK:

H.R. 15544. A bill to amend the Occupational Safety and Health Act of 1970 to provide that where violations are corrected within the prescribed abatement period no penalty shall be assessed; to the Committee on Education and Labor.

By Mr. SCHERLE:

H.R. 15545. A bill to amend the Federal Food, Drug, and Cosmetic Act to revise certain requirements for approval of new animal drugs; to the Committee on Interstate and Foreign Commerce.

By Mrs. ABZUG (for herself and Mr. METCALFE):

H.R. 15546. A bill to prohibit discrimination by any federally insured bank, savings and loan association, or credit union against any individual on the basis of sex or marital status in credit transactions and in connection with applications for credit, and for other purposes; to the Committee on Banking and Currency.

H.R. 15547. A bill to prohibit discrimination by financial institutions or any other persons on the basis of sex or marital status in connection with federally related mortgage transactions, and to require all parties to any such transaction to submit appropriate reports thereon (containing specified information) for public inspection; to the Committee on Banking and Currency.

H.R. 15548. A bill to amend the Truth in Lending Act, to prohibit discrimination by creditors against individuals on the basis of sex or marital status with respect to the extension of credit; to the Committee on Banking and Currency.

By Mr. BERGLAND:

H.R. 15549. A bill to amend the Internal Revenue Code of 1954 so as to limit the amount of deductions attributable to the business of farming which may be used to offset nonfarm income; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia:

H.R. 15550. A bill to convey to the City of Alexandria, Va., certain lands of the United States, and for other purposes; to the Committee on the District of Columbia.

By Mr. EILBERG:

H.R. 15551. A bill to provide for orderly trade in antifriction ball and roller bearings and parts thereof; to the Committee on Ways and Means.

By Mrs. GREEN of Oregon (for herself, Mrs. GRIFFITHS, Mrs. HICKS of Massachusetts, Mrs. GRASSO, Mrs. CHISHOLM, Mrs. MNK, Mrs. HANSEN of Washington, Mrs. DWYER, and Mrs. SULLIVAN):

H.R. 15552. A bill to provide a remedy for sex discrimination by the insurance business with respect to the availability and scope of insurance coverage for women; to the Committee on Interstate and Foreign Commerce.

By Mr. HANNA:

H.R. 15553. A bill to amend the National Housing Act to provide for parity of regulation of service corporations owned by State-chartered insured savings and loan associations; to the Committee on Banking and Currency.

By Mr. LEGGETT:

H.R. 15554. A bill to authorize grants to the Deganawadiah-Quetzalcoatl University; to the Committee on Education and Labor.

By Mr. MCKINNEY (for himself, Mr. CONOVER, Mrs. GRASSO, Mr. HALPERN, Mr. PODELL, and Mr. ST GERMAIN):

H.R. 15555. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income amounts won in State lotteries; to the Committee on Ways and Means.

By Mr. O'NEILL:

H.R. 15556. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for tuition paid for the elementary or secondary education of dependents; to the Committee on Ways and Means.

By Mr. RODINO:

H.R. 15557. A bill to amend title 38, United States Code, to increase the rates of compensation for disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RUPPE:

H.R. 15558. A bill to amend the Truth in Lending Act to protect consumers against careless and unfair billing practices, and for other purposes; to the Committee on Banking and Currency.

By Mr. SHOUP:

H.R. 15559. A bill to amend the Small Business Act, and for other purposes; to the Committee on Banking and Currency.

By Mr. TIERNAN:

H.R. 15560. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

H.R. 15561. A bill to amend title II of the Social Security Act to provide in certain cases for the payment of minimum wife's (or husband's) insurance benefits to an otherwise qualified individual before the insured spouse attains retirement age and becomes entitled to benefits himself; to the Committee on Ways and Means.

By Mr. WYMAN:

H.R. 15562. A bill to amend the Federal Property and Administrative Services Act of 1949 to prohibit the making available of

Government procurement sources to Federal grantees and contractors; to the Committee on Government Operations.

By Mr. DUNCAN:

H.R. 15563. A bill to designate Joyce Kilmer Memorial Forest and Slickrock Creek watershed as wilderness areas; to the Committee on Interior and Insular Affairs.

By Mr. HOGAN:

H.R. 15564. A bill to amend title 5, United States Code, to extend survivor annuity eligibility to a surviving spouse who is the parent of an adopted child; to the Committee on Post Office and Civil Service.

By Mr. PUCINSKI:

H.R. 15565. A bill to amend the Food Stamp Act of 1964, to provide that income received by individuals who are at least 60 years of age under the Social Security Act or the Railroad Retirement Act shall not be counted by the Secretary of Agriculture in determining national standards of eligibility for participation by households (of which such individuals are a member) in the food stamp program; to the Committee on Agriculture.

By Mr. DELLENBACK:

H. Con. Res. 633. Concurrent resolution calling upon all signatories to the Geneva Convention to insure respect for that convention by persuading North Vietnam to fulfill its obligations under the convention; to the Committee on Foreign Affairs.

By Mr. FINDLEY (for himself, Mr. ARCHER, Mr. BENNETT, Mr. BRAY, Mr. COLLIER, Mr. COLLINS of Texas, Mr. DENNIS, Mr. DEVINE, Mr. DU PONT, Mr. ERLÉNBOHN, Mr. FASCELL, Mr. FORSTHE, Mr. GIBBONS, Mr. HENDERSON, Mr. HUTCHINSON, Mr. LENNON, Mr. LUJAN, Mr. MANN, Mr. MICHEL, Mr. QUITE, Mr. REUSS, Mr. RHODES, Mr. ROUSSELOT, Mr. SCHNEEBEL, and Mr. THONE):

H. Res. 1020. Resolution amending the Rules of the House by adding rule XLV on House-authorized Federal budget; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. MEEDS:

H.R. 15566. A bill for the relief of Mildred Christine Ford; to the Committee on the Judiciary.

By Mrs. MINK:

H.R. 15567. A bill for the relief of Nepty Masauo Jones; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 15568. A bill for the relief of Moizal Ahmed; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

LAW DAY U.S.A.—NEW YORK CIVIL COURT OBSERVANCE

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Thursday, June 15, 1972

Mr. JAVITS. Mr. President, I would like to call attention to the record of the New York Civil Court's Law Day U.S.A. observance on May 1, 1972, which had as its theme "Equal Access to Equal Justice," and featured the unveiling of the worldwide recognized symbol of access for the handicapped on the facade of the courthouse at 111 Centre Street, New York City, before an estimated 1,000 Americans representing the bench and bar, government agencies, architects, and the handicapped.

I ask unanimous consent that speeches delivered on that occasion be printed in the RECORD.

There being no objection, the speeches were ordered to be printed in the RECORD as follows:

LAW DAY U.S.A.

COURT OFFICER. Hear ye, hear ye! The Law Day USA Ceremonies will come to order. Judge Nathaniel Sorkin, presiding.

Judge SORKIN. Judge Thompson, Presiding Justice Stevens, Presiding Justice Rabin, my colleagues, distinguished guests, ladies and gentlemen:

As Chairman of the Law Day Observance, I welcome you to the ceremony being held on the legendary steps of the courthouse at 111 Centre Street, in the northern end of the Civic Center in New York County. The fact that the steps are legendary, rather than real, thereby affording "equal access to equal justice," is the theme of this Law Day program.

Before presenting our Master of Ceremonies, I want to express my appreciation to the organizations and groups that helped make this event successful. Rehabilitation

International and Rehabilitation International U.S.A., Metropolitan Chapter of the National Rehabilitation Association, Architectural Barriers Association, and the Mayor's Advisory Committee on the Handicapped, of which I am a member and whose Chairman, Judge Joel J. Tyler, requested me to report that this unveiling will serve as the kick-off for a campaign by his Committee to encourage the display of the Symbol of Access on all barrier-free public buildings, and last—last because it is written that the last shall be first, and, indeed, he is first and a man of firsts. I speak of the first fireman to become a Judge, then a Fire Commissioner, again a Judge and then a Justice of the Supreme Court, and an Administrative Judge. The first Administrative Judge of a Court that has effected current calendars and has a courthouse that can display the Symbol of Access. I refer to the Administrative Judge of the Civil Court of the City of New York, our Master of Ceremonies, Justice Edward Thompson.

Justice THOMPSON. Judge Sorkin, Presiding Justice Stevens, Presiding Justice Rabin, Commissioner Maevis, distinguished guests, my colleagues, ladies and gentlemen.

All over the land there will be Law Day ceremonies today. The President, the Chief Justice of the United States, and the Chief Justices of every State have proclaimed this. However, here we have today something which not only will provide equal justice, but equal access to justice. I wonder how many of you realize that 12% of our population is handicapped. We are so fortunate, indeed, to have a structure such as this which could bear the symbol that it is a place which is accessible to those, whether they be litigants or lawyers, witnesses or Judges, those who travel in a chair propelled by a wheel and self locomotion can enter the building, go anywhere within the confines thereof and use all of its physical facilities. Yes, and even ascend the Bench or the witness box. As it was said by Judge Sorkin, a member of this Bench for more than 15 years, who himself uses a wheelchair as a result of childhood polio, this building is the only public building which offers such facilities.

This ceremony is held today, among other things, for the reason that you and I may show the way to the architects and the builders and the planners and the administrators of tomorrow that they should, when they erect buildings, take cognizance of the fact that so many of our brethren are handicapped and they, too, need equal access, barrier-free buildings, under the law.

I would now like to introduce to you some very distinguished guests who are with us today. The Chief Justice of the Supreme Court of the Philippine Islands, Honorable Robert R. Concepcion; Associate Justice of the Appellate Division, First Department, Honorable Louis J. Capozzoli; the Director of Training of the State and a Professor of the National College of the State Judiciary located in Reno, Nevada, Dr. Ronald Fremlin; a great community leader, scout, and Past President of the Council of Churches of New York, Reverend Dr. Mannie L. Wilson; Deputy Borough President of Manhattan, Hon. Leonard Cohen; Chairman of the Civil Court Committee of the Association of the Bar of the City of New York, Mr. Robinson Markel; Chairman of the Civil Court Committee of the New York State Trial Lawyers Association, Mr. Samuel F. Gold.

And now to kick off these brief ceremonies, I am pleased to call upon a Law Professor about to assume that title at Fordham University School of Law, and a Vice-President of the New York Women's Bar Association, Professor Shiela Birnbaum.

Professor BIRNBAUM. Thank you Judge Thompson, honored guests and ladies and gentlemen:

The Constitution guarantees to every person access to the judicial system and a day in court. This guarantee must be assured to all persons regardless of their status, regardless of whether their cause is popular or unpopular. But, there is one group that has been overlooked often by our courts and by our society, and those are the handicapped and the disabled. In order for them to have equal justice, they must have equal access to our courts. They must be able to enter our courts with dignity, with pride, and with self-respect. There are hundreds of thousands of physically handicapped persons in